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ABSTRACT

This document contains testimonies and prepared statements from the Congressional oversight hearing called to examine the implementation and operation of the Missing Children's Assistance Act of 1984. Opening statements are included by Representatives Dale Kildee and Thomas Tauke. Witnesses providing testimony include: (1) Verne Speirs and Michelle Easton, United States Office of Juvenile Justice and Delinquency Prevention; (2) Ellis Meredith and Jay Howell, National Center for Missing and Exploited Children; (3) Robbie Callaway, Boys Club of America; (4) Debbie Carlson, mother of a kidnapped and murdered child; (5) Steve Clark, National Association of Attorneys General; (6) Nikolette Thoman, Services for the Missing; (7) Gaylord Walker, National Association of Missing Children Organizations; (8) Ann Collins, American Missing Children's Foundation; (9) Doak Bloss, Missing Children Program, Michigan Network of Runaway and Youth Services; (10) William Treanor, American Youth Work Center; and (11) Jeremy Margolis, Illinois inspector general. Witnesses involved in missing children issues provided different perspectives on the Missing Children's Assistance Act, gave information on how well the Act has served the needs of missing and exploited children and their families, and made recommendations to improve operation of the Act. Prepared statements, letters, and supplemental materials are included. (NB)

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**OVERSIGHT HEARING ON THE MISSING CHILDREN'S
ASSISTANCE ACT**

ED284089

HEARING
BEFORE THE
SUBCOMMITTEE ON HUMAN RESOURCES
OF THE
COMMITTEE ON EDUCATION AND LABOR
HOUSE OF REPRESENTATIVES
NINETY-NINTH CONGRESS
SECOND SESSION

HEARING HELD IN WASHINGTON, DC, ON AUGUST 4, 1986

Serial No. 99-151

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OVERSIGHT HEARING ON THE MISSING CHILDREN'S ASSISTANCE ACT

MONDAY, AUGUST 4, 1986

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON HUMAN RESOURCES,
COMMITTEE ON EDUCATION AND LABOR,
Washington, DC.

The subcommittee met, pursuant to call, at 10 a.m., in room 2175, Rayburn House Office Building, Hon. Dale E. Kildee (chairman of the subcommittee) presiding.

Members present: Representatives Kildee and Tauke.

Staff present: Susan A. Wilhelm, staff director; S. Jefferson McFarland, counsel; Thomas Kelley, clerk; and Carol Lamb, minority legislative associate.

Mr. KILDEE. The hearing will come to order.

The Subcommittee on Human Resources convenes this morning for an oversight hearing on the Missing Children's Assistance Act.

The role of Government is to promote, defend, enhance, and protect human dignity. Certainly, you can judge the humanity of a society by how it cares for its very young and its very old—those in our society who are most vulnerable.

For this reason, we cannot turn our backs to the needs of abducted children, of children trying to survive in the streets, or of their families.

The need for a Federal response is obvious. During the time we spend in this hearing, a child can travel from one end of our country to another, crossing State lines many times.

Indeed, within a schoolday, from the time the child leaves and returns home in the evening, that child could travel or be transported from one end of the country to another. Our Nation's greatest resource, is also our country's greatest concern.

The Missing Children's Assistance Act, enacted in 1984 as title IV of the Juvenile Justice and Delinquency Prevention Act, was truly landmark legislation. For the first time, the Congress recognized the seriousness of the problem and sought to provide assistance to find solutions.

The act authorizes a range of activities, including the establishment of a National Resource Center and Clearinghouse, periodic incidence studies on the numbers of missing children, and grants to public and private agencies to support recovery efforts, prevention programs, and vital research on such subjects as the psychological consequences of abduction.

(1)

This morning's hearing is a continuation of the committee's effort to examine the implementation and operation of the act. We are soliciting information on how well the act has served the need and what needs to be done to improve it.

At an earlier oversight hearing, the subcommittee heard from a number of excellent witnesses representing many points of view including parents and law enforcement officials.

Today, we hope to build on that record by hearing from witnesses whose involvement in missing children's issues brings additional perspectives.

We do not want to hear solely from people representing one point of view, but from all who have experience and concern. We would be remiss if we did not do this.

It is the subcommittee's intention that today's hearing be an open and candid forum to constructively assess our progress. Valid criticism can be made of every human endeavor, including the Congress. The longer I am here, the more I realize that.

Since our laws are made here on Capitol Hill and not on Mt. Sinai, we welcome suggestions on how the Missing Children's Assistance Act can be improved.

We are all here because of a deep and unabiding concern for the safety of our Nation's children. There may not be complete agreement. In fact, there may be sharp disagreement on certain points. Nevertheless, we must not lose sight of why we are here, to protect children.

I would like to welcome all of our witnesses this morning. We appreciate your concern and cooperation, especially in light of the repeated rescheduling of this hearing. In the interest of best utilizing the amount of time available for questions and discussions, we would appreciate your briefly summarizing your written statements. Your written statements will be printed in the record in their entirety.

I would now like to recognize Mr. Tauke, the ranking Republican member of the subcommittee. Mr. Tauke from Iowa.

Mr. **TAUKE**. Thank you, Mr. Chairman, it is good to bring this hearing before us and to have an opportunity to evaluate the Missing Children's Assistance Act and the National Center for Missing and Exploited Children, which were created by Congress some time ago to address a nationwide concern about the missing children's issue.

As you indicated in your opening remarks, Mr. Chairman, we did have to reschedule this hearing several times. I might just say to the witnesses and those other present that that rescheduling does not in any way indicate a lack of commitment to the issue, but instead indicates a strong desire on the part of both the chairman and myself to be able to schedule a hearing at a time when we could both be in attendance, and at a time when our witnesses could be here, so that we could have the best hearing possible.

Since the time that the Missing Children's Assistance Act was approved by Congress, there has been a great increase in the recognition of the missing children's problem by people across the Nation.

No matter where you go, what billboards you see, what magazines you open, there is some reference to the missing children's

issue, and indeed, in terms of increasing public awareness, we have made great progress in addressing the concerns of all of us relating to the missing children's problem.

However, at the current time, there is still some question about the implementation of the Missing Children's Assistance Act, and the accomplishments that have been made to date.

Certainly, it is fair to say that much has been done, but as the chairman indicated, there is no act that is perfect, and we are here today to see how we are doing in the implementation of that act, whether or not changes should be made in the law, and what more can be done in order to improve our efforts to find and locate all missing children.

The missing and exploited children issue remains an extremely emotional and traumatic problem facing this country. Whether the child is missing, voluntarily or involuntarily, there is a great deal of concern about the welfare of the child.

There will undoubtedly be some difference of opinion expressed here today as representatives of various aspects of the issue will testify. However, in talking to many of the witnesses already, and in communications that I have had with a number of others, I have become convinced that everyone who is here today is here because of their great concern about our Nation's children.

I am hopeful a constructive dialog will provide information to further improve our ability to meet the needs of all missing and exploited children and their families.

Mr. Chairman, I again thank you for your outstanding leadership on this issue, for your willingness to hold a hearing, and I look forward, as you do, to the testimony that we will receive from our witnesses.

Mr. KILDER. Thank you, Mr. Tauke.

At this time, we will formally begin the presentations. The first panel consists of Mr. Verne L. Speirs, Acting Administrator of the Office of Juvenile Justice and Delinquency Prevention, Department of Justice; Ms. Michelle Easton, Missing Children Program Director, Office of Juvenile Justice and Delinquency Prevention, Department of Justice; and Mr. Ellis E. Meredith, president, National Center for Missing and Exploited Children, Washington, DC.

Please introduce those persons accompanying you.

Mr. MEREDITH. I am accompanied this morning by Robbie Callaway, Washington representative for the Boys Clubs of America; and Mr. Jay Howell, our executive director, and he will be available for questions also, sir. We are accompanied by some other folks, and I will introduce them at the appropriate time.

Mr. KILDER. Mr. Speirs.

STATEMENTS OF VERNE SPEIRS, ACTING ADMINISTRATOR, OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION, DEPARTMENT OF JUSTICE, ACCOMPANIED BY MICHELLE EASTON, MISSING CHILDREN PROGRAM DIRECTOR, OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION; ELLIS E. MEREDITH, PRESIDENT, NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN, WASHINGTON, DC, ACCOMPANIED BY ROBBIE CALLAWAY, WASHINGTON REPRESENTATIVE, BOYS CLUBS OF AMERICA; AND JAY HOWELL, EXECUTIVE DIRECTOR, NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN

Mr. SPEIRS. Thank you, Mr. Chairman, for inviting OJJDP's Missing Children's Program Director, Michelle Easton, and me to testify this morning on the activities of the Office of Juvenile Justice and Delinquency Prevention in implementing the Missing Children's Assistance Act.

I have submitted to the subcommittee a prepared statement which I would ask be placed in the record and which I would now like to summarize.

As you are aware, the President and his administration have been extremely supportive of efforts to recover missing children and prevent the abduction and exploitation of children, and we firmly support Federal involvement in these efforts.

As evidence of the administration's continuing concern for the welfare of these endangered children, the President has requested \$4 million for the OJJDP Missing Children's Program for fiscal year 1987.

Although I have been Acting OJJDP Administrator for only a little more than a month, I believe that OJJDP has made significant efforts to launch this new program responsibly and as expeditiously as possible.

As of July 1, 1986, all but slightly more than \$1 million of the \$4 million appropriated for the program in fiscal year 1985 and the \$4 million appropriated for the program in fiscal year 1986 either have been obligated or will be obligated in the near future. Most of the remaining \$1 million will be spent for the national incidence study.

Mr. Chairman, the act outlines the steps OJJDP must take in implementing the Missing Children's Program, and we have been conscientious in following its provisions. In accordance with the act, the Advisory Board on Missing Children was appointed by the Attorney General, and after being sworn in in March 1985, met with the OJJDP Administrator to establish funding priorities for the program.

Because there is so much that we do not know about the magnitude of the missing children problem, the first of the seven program priorities announced last year was a national incidence study to determine the actual number of missing children.

This study, which was mandated by the act, is being carefully developed to assure that it will provide the most comprehensive, reliable assessment of the problem possible. Based upon the recommendation of a panel of experts, OJJDP is undertaking three pilot tests to determine the most reliable method of conducting the

larger study which will, in turn, provide the most accurate estimates possible of missing children incidences, information on the circumstances surrounding the incidences, and data on the characteristics of the victims. This major study is scheduled for completion in 1988.

The second priority is to identify the most effective law enforcement methods for handling reports and investigating, identifying and recovering children who might be missing or homeless. OJJDP is undertaking a national study of law enforcement agencies' policies and practices for handling missing children and homeless youth.

A review panel selected the best application from among those submitted in response to an RFP, and we plan to make an award by the end of this fiscal year.

Under the third priority, funding has been provided to the Federal Law Enforcement Training Center at Glynco, GA, to help Federal, State, and local law enforcement personnel both to gain a better understanding of the problems of missing and exploited children and to improve their skills in handling these cases. More than 2,000 officers have completed this training.

Preliminary studies show, Mr. Chairman, that the trauma suffered by missing and sexually exploited children and their families does not end when a child returns home or a case is successfully prosecuted. Readjustment and reintegration into the family and community can be difficult.

The fourth funding priority, therefore, is research on these complex issues. By the end of this week, OJJDP will deliver to the Federal Register for publication an RFP on the psychological consequences on missing and exploited children.

I would like to stop at this point and make a correction in the written testimony. We had indicated that that RFP had been delivered to the Federal Register. Last week, I held that up because there is a question on the statistical portion. We resolved that last Friday with the Bureau of Justice Statistics in the Department and that is cleared now and will be published in the Federal Register probably by Wednesday.

In a related area of research, OJJDP recently issued a solicitation for applications for a study of the child victim as a witness. This study will design, implement, and test new strategies to change court policies and practices for handling child victims who must testify about their ordeals.

OJJDP is exploring strategies to launch the fifth priority: Training for practitioners and a public awareness program on the missing and exploited children issue. We have had ongoing discussions for over a year with representatives from the Ad Council about the possibility of a major campaign on this issue. We envision a campaign that could be structured toward prevention and education on the runaway issue.

OJJDP and the National Center for Missing and Exploited Children are operating, under the sixth priority, a program that will make at least 22 awards to States that have legislatively established clearinghouses for missing children information. The Center has announced an RFP soliciting State applications for these awards.

The final priority is assistance to private voluntary organizations. Through this program, the Institute for Nonprofit Organization Management is providing training and technical assistance in organization and administrative management for these private, voluntary organizations.

INPOM will provide grants to these organizations for training and management support through a subcontractual agreement. The Adam Walsh Resource Center is providing approximately 25 percent of the training effort.

Mr. Chairman, OJJDP also supports the National Center for Missing and Exploited Children. Mr. Bud Meredith and Mr. Jay Howell will fully describe the Center's outstanding accomplishments over the past 2 years, so I will say only that we are proud of the Center's efforts in assisting in the recovery of more than 5,000 children.

The Center has become a valuable resource for all those working to reduce the incidence of crime against children and to deal more effectively with these tragedies when they occur.

Early this year, OJJDP published two reports required by the act. The first annual summary of Federal, State, and local programs and research relating to missing children was distributed in January, and copies were sent to this subcommittee and to other Members of Congress.

In March, the Attorney General's Advisory Board on Missing Children published its first report. It attempts to clarify the issues surrounding missing children and their families, and recommends appropriate actions for facilitating cooperation and coordination among all agencies with responsibilities relating to missing children.

We expect that its 24 recommendations will lead to further exploration of the most effective methods for combating the abduction and abuse of children.

In conclusion, Mr. Chairman, through the programs I have discussed today, the Office of Juvenile Justice and Delinquency Prevention is working to meet the mandates of the Missing Children's Assistance Act. I can assure you that the Office, the Department, and the administration will continue not only to meet these mandates, but to do everything possible to help protect our Nation's children.

Thank you, Mr. Chairman. Ms. Easton and I will be glad to respond to any questions you or members of the subcommittee might have.

[Prepared statement of Verne Speirs follows.]

PREPARED STATEMENT OF VERNER SPEIRS, ACTING ADMINISTRATOR, OFFICE OF
JUVENILE JUSTICE AND DELINQUENCY PREVENTION, DEPARTMENT OF JUSTICE

Thank you, Mr. Chairman, for inviting myself and OJJDP's Missing Children's Program Director Michelle Easton to testify this morning on the activities of the Office of Juvenile Justice and Delinquency Prevention in implementing the Missing Children's Assistance Act.

As you know, Mr. Chairman, the President and his Administration have been extremely supportive of efforts to recover missing children and prevent the abduction and exploitation of children and firmly support Federal involvement in these efforts. This Administration believes that a Federal response to the problem of missing and exploited children is both critical and appropriate. The ever-increasing mobility of our society results in local law enforcement's inability to follow missing or exploited children cases that often move beyond their own jurisdictions. Therefore, this Administration believes, and Congress, as evidenced by its passage of the Missing Children's Assistance Act, concurs, that there is a need for national coordination and dissemination of information about cases of missing and exploited children that only the Federal government can provide.

As further evidence of the Administration's continuing concern for the welfare of these endangered children, the President has requested \$4 million for the OJJDP Missing Children's Program for Fiscal Year 1987 in what otherwise is a very lean budget.

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Congress, too, recognized the need to devote resources to the problem of missing children and consequently appropriated \$4 million each year for the first two years of the program. The Office of Juvenile Justice and Delinquency Prevention has endeavored to spend these funds wisely and in accordance with the mandates of the Missing Children's Assistance Act. As of July 1, 1986, all but a little over \$1 million of the funds appropriated for this program have been obligated or will be obligated within the near future. Most of that remaining \$1 million will be spent to continue support for the National Incidence Study on the Numbers of Missing Children, which I will talk more about later.

Although I have been OJJDP Acting Administrator only a little more than a month, I am aware that there has been some concern about the time it is taking to obligate the funds appropriated for this program. In my review of this situation, Mr. Chairman, I wish to report that OJJDP has made every effort to launch this new program as quickly as possible, while at the same time, ensuring that the funds support the best programs possible. In accordance with Congress' desire that OJJDP funds be awarded competitively, OJJDP is funding most of the missing children's priority programs through a competitive process. While this ensures objectivity in making grant awards, it is, however, a more time consuming process. Nevertheless, I believe that the program has made considerable progress in addressing the problems related to missing children in a relatively short time.

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As you know, the Missing Children's Assistance Act sets forth point-by point the steps OJJDP must take in implementing this program and the Office of Juvenile Justice and Delinquency Prevention has been conscientious in following its provisions. The first requirement was that the Attorney General appoint an Advisory Board on Missing Children within 90 days of the effective date of the Act. The second requirement was that the OJJDP Administrator, in consultation with the Advisory Board, establish priorities for funding under the program and publish these priorities in the Federal Register, allowing 60 days for public comment.

In accordance with these mandates, an Advisory Board on Missing Children was appointed in January 1985 and, after being sworn in on March 8, 1985, met with the OJJDP Administrator to establish funding priorities. The proposed funding priorities were published in the Federal Register on May 10, 1985, and, after the period of public comment elapsed, seven final priorities were published on July 25, 1985. Subsequently, the Board agreed that OJJDP would continue support for these priorities during Fiscal Year 1986. An announcement concerning this was published last week in the Federal Register.

Priority Programs

The problem of missing children has become a focus of national concern because it is a problem of national proportions. While no one is certain of the exact magnitude of the problem, even the most conservative estimates would place the number of children missing each year from their homes--either voluntarily or involuntarily--in the hundreds of

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thousands. Although most of these children are runaways and eventually return home, many may become victims of physical or sexual abuse and, in some cases, even homicide.

Because there is so much that we do not yet know about this problem, Congress, through the Act, has mandated "national incidence studies of the actual number of missing children reported in a given year." Therefore, to respond to this mandate and the need for more accurate information on both the extent and the nature of the missing children problem, the OJJDP Missing Children's Program announced last year a national incidence study as its first priority.

A significant problem in using available statistics on the number of missing children in the United States annually is that none of the confirmed estimates was derived from studies designed to provide a comprehensive, verifiable assessment of the missing children problem. Therefore, OJJDP's National Incidence Study to Determine the Actual Numbers of Missing Children is being carefully developed to assure that it will provide the most comprehensive, reliable assessment of the problem possible. To plan for this study, OJJDP solicited the expertise of researchers from various fields who had designed, funded, or conducted studies with similarly complex problems. A panel of these researchers met last August to advise OJJDP on issues that should be considered in designing the study. Based on the advice of this panel, OJJDP is undertaking a number of initial pilot tests to determine the best approaches for a later series of larger studies that will provide reliable estimates of

the incidence of missing children, information on the context of the events, and data on the characteristics of the victims. Information also is being collected about parents' assessment of their children's fears of being abducted and their feelings concerning news media attention to the problem. The national incidence study is scheduled for completion in 1988.

To identify the most effective law enforcement methods for handling reports and investigating, identifying, and recovering children who may be missing or homeless and at risk of exploitation, OJJDP is undertaking, as the second priority, a National Study of Law Enforcement Agencies' Policies and Practices for Handling Missing Children and Homeless Youth. A review panel selected the best application from among those submitted in response to a Request for Proposals, and we plan to make this award by September 1, 1986. The study will provide better estimates of the number of cases of missing children reported to law enforcement agencies annually. The study should be completed in 30 months, and we expect to have some preliminary data available within a year.

Under the third priority, funding has been provided to the Federal Law Enforcement Training Center at Glynco, Georgia, for a training program on handling missing and exploited children. The program is intended to help Federal, state, and local law enforcement personnel gain a better understanding of the problem of missing and exploited children and improve their skills in handling these cases. In the two and a half years since the program began, more than 2,000 officers have completed this training.

The trauma that missing and sexually exploited children and their families suffer does not end when a child returns home or a case is successfully prosecuted. Readjustment and reintegration into the family and community can be difficult, with many recurring problems. Psychologists suggest that horrifying memories and confusing emotions, such as guilt and actually missing the abductor or abuser, may trouble children for years after an experience has ended. Guilt also can consume the families, with parents becoming overprotective and siblings feeling jealous of the attention the victims receive. The fourth funding priority, therefore, is research on these complex issues.

OJJDP has delivered to the Federal Register for publication an RFP on the psychological consequences on missing and exploited children entitled "Families of Missing Children: Psychological Consequences and Promising Interventions." In a related area of research, OJJDP recently issued a solicitation for competitive grant applications for a study of the child victim as a witness. This three-year study will design, implement, and test new strategies to be used to change court policies and practices for handling child victim witnesses.

The fifth funding priority is training for practitioners and a public awareness program on the issue of missing and exploited children. OJJDP currently is exploring strategies to launch this program. We have had discussions with representatives from The Advertising Council for over a year concerning their consideration of a major campaign on the problem of missing children.

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OJJDP and the National Center for Missing and Exploited Children are operating, under the sixth program priority, an assistance program that will make more than 20 awards to states that have legislatively established, state-operated clearinghouses that serve as central repositories of information on children believed to be missing in the state. To date, 22 states have such legislatively-established clearinghouses, including Iowa, Kentucky, Ohio, Illinois, and Missouri, and we expect other states to establish clearinghouses in the near future.

The National Center has announced a Request for Proposals soliciting state applications for these awards, which are intended to encourage states to operate uniform data collection systems. States selected to receive OJJDP funding will be responsible for compiling accurate and relevant statistics and collaborating with the National Center for Missing and Exploited Children and OJJDP-sponsored research initiatives.

The final priority is assistance to private voluntary organizations working on the problem of missing and exploited children. A cooperative agreement has been made to provide training and technical assistance in organization and administrative management for these private voluntary organizations. The Institute for Nonprofit Organization Management was selected through a competitive process to conduct this program.

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Through this program, INPOM is holding training sessions at 16 sites around the country during the next two years. In addition, a national conference of missing children's agencies is scheduled and five exemplary programs will be selected to serve as host sites for training and technical assistance. Through a subcontractual agreement, the Adam Walsh Child Resource Center in Fort Lauderdale, Florida, is providing approximately 25 percent of the training.

A supplemental award of funds was made earlier this month to enable INPOM to provide grants to private voluntary organizations for training and management support. This competitive grant program is designed to help private voluntary missing children's organizations apply the management principles learned at training seminars, obtain matching funds from nongovernment sources, and expand their capacity to serve missing and exploited children.

National Center for Missing and Exploited Children

The OJJDP Missing Children's Program also supports the National Center for Missing and Exploited Children, which was established with OJJDP funds in April 1984. I know, Mr. Chairman, that Bud Meredith and Jay Howell from the National Center are scheduled to testify before the Subcommittee this morning and can fully describe the Center's tremendous accomplishments in assisting in the recovery of missing children and in increasing public awareness of how best to protect

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children. So I will say only that the Department of Justice is satisfied with the progress of the Center in only two short years and is extremely proud of its efforts in assisting in the recovery of more than 5,000 children. Its toll-free telephone hotline has received more than 181,000 calls since it began operating in October 1984, averaging about 276 per workday. The Center has become a valuable national resource for law enforcement agencies, parents, grass-roots missing children's organizations, and others working to reduce the incidence of crimes against children and to deal more effectively with these tragedies when they do occur.

Publications

The Missing Children's Assistance Act requires OJJDP to prepare two reports about the problem of missing children. The first is an annual summary of recently completed research, research under way, and Federal, state, and local demonstration projects related to missing children. The first annual summary was prepared and distributed in early 1986. It includes a discussion of OJJDP projects in this area, other Federal initiatives, and state, private sector, and private/public missing children's programs. It is my understanding, Mr. Chairman, that copies of the summary were sent to the Subcommittee and other Members of Congress shortly after publication.

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The Act also requires the Advisory Board on Missing Children to prepare "an annual comprehensive plan for facilitating cooperation and coordination among all agencies and organizations with responsibilities related to missing children." This report--"America's Missing and Exploited Children: Their Safety and Their Future"--was released by the Board on March 7, 1986, almost exactly one year from the day the Board was sworn in. Through this report, the Board attempts to clarify the issues surrounding missing children and their families, enlighten the public about the problem, and recommend necessary, appropriate action. The 24 recommendations contained in the report apply to child-serving agencies, law enforcement, Federal and state governments, courts, legislatures, schools, and families. We are impressed with the Board's report and anticipate that its recommendations will lead to further exploration of the most effective methods for combating the abduction and abuse of children.

In conclusion, Mr. Chairman, through the programs I have discussed today, the Office of Juvenile Justice and Delinquency Prevention is meeting the mandates of the Missing Children's Assistance Act. I can assure you that the Office, the Department, and the Administration will continue not only to meet these mandates, but to do everything possible to help protect our Nation's children and to advance the laudable purposes Congress expressed in the Missing Children's Assistance Act.

Thank you, Mr. Chairman. Ms. Easton and I will be happy now to respond to any questions you or Members of the Subcommittee may have.

Mr. KILDER. Mr. Meredith.

Mr. MEREDITH. Thank you. I, too, appreciate this opportunity to testify before you and the subcommittee this morning. I have already introduced Mr. Robbie Callaway, and he will give the bulk of our testimony.

We have Mr. Jay Howell, our Executive Director, and I would like to introduce John Rayburn, deputy director for technical assistance; and Carla Branch, our communications supervisor at the Center; and we also have with us today Jeremy Margolis, inspector general for the State of Illinois, a gentleman who your staff and you are trying to accommodate us as a witness; and Debbie Carlson is also with us this morning, the mother of Vicki Lynn Hoskinson, a little girl kidnaped and murdered in Tucson, AZ, in 1984.

Since the time of her daughter's disappearance and death, Mrs. Carlson has become quite active in issues pertaining to missing or exploited children.

We truly appreciate this opportunity to discuss with you and your colleagues on the subcommittee the implementation of the Missing Children's Assistance Act of 1984, and our role in the implementation of that act.

Since I have only been on board since May 19, I felt it would be more useful if the committee heard directly from the participants who shape the National Center and have given it the primary direction it is taking to date.

It is for this reason I would like to prevent Mr. Robbie Callaway, a member of our board, to speak on behalf of the National Center, and after his comments, I would appreciate it if Mr. Howell could assist Mr. Callaway to answer any questions you may have, or Mr. Tauke.

I am at the total service of the subcommittee to provide any additional information this subcommittee may want now or at any future time.

Thank you again, Mr. Chairman.

[Prepared statement of Ellis E. Meredith follows.]

PREPARED STATEMENT OF ELLIS E. MERRYFITH, PRESIDENT, NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN, WASHINGTON, DC

Mr. Chairman, we appreciate the opportunity to discuss with you and the members of the Subcommittee on Human Resources the implementation of the Missing Children's Assistance Act of 1984 and the role of the National Center for Missing and Exploited Children in the implementation of that act.

The National Center for Missing and Exploited Children was established in April of 1984 and entered into a cooperative agreement with the Office of Juvenile Justice and Delinquency Prevention (OJJDP) several months prior to the passage of the Missing Children's Assistance Act. The Center was established to initiate programs to protect children and to provide assistance in handling cases of missing children, child molestation, child pornography, and child prostitution.

The Center's staff includes a select group of former criminal/juvenile justice, social services, and youth systems professionals as well as educators who have worked at the state and local levels around the country. These individuals bring to the Center a broad expertise in handling cases of missing, abused, or exploited children.

The Center is a nonprofit corporation chartered for the purpose of operating a national resource and technical assistance center to deal with issues of missing or exploited children. The Center officially began operation in mid-June of 1984. Thereafter, in October 1984, the Congress passed the Missing Children's Assistance Act, which mandated that the Office of Juvenile Justice and Delinquency Prevention perform certain tasks specified in the act. The National Center for Missing and Exploited Children has contracted with the Office of Juvenile Justice and Delinquency Prevention to perform certain of those specified tasks. The Office of Juvenile Justice has entered into cooperative agreements with other agencies, companies, and institutions to perform other functions mandated by the Act.

The Center agreed to establish and operate the national toll-free telephone line pursuant to Section 404 (b) (1). We also furnish information derived from the national toll-free telephone line to appropriate law-enforcement agencies pursuant to Section 404 (a) (5). The Center has contracted with OJJDP to establish and operate a national resource center and clearinghouse pursuant to Section 404 (b) (2) (A-D). The Center provides technical assistance to state and local governments, law-enforcement agencies, elements of the criminal justice system, and public and private nonprofit agencies, individuals, and families.

Furthermore, the Center coordinates certain public and private programs which impact upon the child protection effort. The Campaign to Protect Our Children is an example of a public sector-private sector program. Forty-two states are working with funds obtained from private-sector contributions to secure the passage of better legislation to protect children and to develop child safety programs within the nation's schools. Another is the National Center's consultation with the National Education Association to develop an in-service training program for teachers.

The Center is not chartered to analyze, compile, publish, or disseminate an annual summary of recently completed research. Nor is the Center chartered to perform the National Incidence Study. We have not been designated to prepare the comprehensive plan to facilitate the coordination and communication among all agencies as specified in Section 404 (a)(6) nor to administer the Attorney General's Advisory Board (Section 405). Further, we have not been delegated the authority to make the grants delineated in Section 406.

HOTLINE

Since the date that the National Center entered into the cooperative agreement with the Office of Juvenile Justice and Delinquency Prevention and opened its doors, the Center has responded to an unanticipated demand from Americans concerned about issues pertaining to missing or exploited children. Calls to the National Center's nationwide toll-free hotline, which began operating in October of 1984, totalled 131,201 through the end of June 1986.

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During the ninth quarter of operations, April 1, 1984, to June 30, 1985, 25,000 calls were received on the hotline, averaging 276 per workday. Additional calls on the Center's business lines also contribute significantly to the Center's call volume. The breakdown on those calls is as follows:

Call: (By Types)	Totals Since Hotline opened
Reports of (Possible) cases	
Parental Kidnappings	5,884
Voluntary Missings	5,733
Abducted by Unknown Individual	279
"Other" Missings (includes lost and taken by family member other than a parent)	1,042
Sexual Exploitation	524
Citizens Leads (Sightings)	25,984
<u>Information & Assistance</u>	<u>141,755</u>
Total Hotline Calls	181,201

The majority of the calls received on the hotline are from citizens, agencies, and organizations requesting information. Over 141,000 of the callers requested information and assistance. The Center has eighteen publications for distribution at no charge. These publications include material on state legislation, books for parents on parental kidnapping, and manuals for law-enforcement on investigating missing child cases and cases of child sexual exploitation. Publications also include brochures on reasonable and effective safety information for families and children on such topics as runaways, child sexual abuse, missing children, selecting a babysitter, safety tips, and preventing parental kidnapping. A general information brochure and lists of support groups are also available. In the fall of this year a detailed study of the runaway will be released, entitled Youth at Risk: Understanding Runaway and Exploited Youth. Information of this nature is available to the public upon request at no charge. Since these publications first became available in January of 1985, the Center has distributed more than 800,000 copies. Additional publications have been developed through funds made available to other youth-serving organizations by the Center.

TECHNICAL ASSISTANCE

When a lead or a sighting is given to the National Center's hotline staff, information regarding the complete circumstances surrounding the child's disappearance is elicited from the caller. The "sighting" form used by the hotline staff was developed in consultation with professional law-enforcement agencies to ascertain the kind of information needed to effectively follow up on a lead.

The "sighting" or lead is reviewed by the Technical Advisor assigned to the case. All the Technical Advisors at the National Center are former law-enforcement, criminal justice, or social service professionals. The Technical Advisor then sends the lead information to the appropriate law-enforcement agency working the case and provides additional assistance at the request of the law-enforcement agency. Information regarding the number of leads received and the agency receiving the leads is available to nonprofit organizations and to the family.

The National Center is not an investigative agency. The function of the Center's Technical Advisory staff in a case being actively worked by local law-enforcement agencies is to provide that agency with information concerning special investigative techniques that have proved of value in missing child cases, suggestions as to additional action that might be of benefit, coordination with other agencies upon request, or information about state-of-the-art technology.

The Center's Technical Advisors may provide information to the local law-enforcement agencies concerning grid searches and the tendency of kidnappers to participate in search efforts in order to monitor the progress of

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the investigation. Or, the Technical Advisors may advise on the use and availability of sophisticated technological devices that can assist in locating missing persons. On occasion, the Center has provided on-site technical assistance.

In the event that the Center receives information about a child known to have been kidnapped by a non-family member, the Center may suggest to the local law-enforcement agency that a nationwide picture display of the child could result in leads. Following display of photos and a child's story on television, the Center often receives information from a hotline tip reporting the child's location. This information is then passed on to the law-enforcement agencies working the case for performance of the actual field work. The Center may also assist the parents in obtaining transportation to and lodging in the city in which their child has been located.

PARENTAL KIDNAPPING

In a reported case of a parental kidnapping, the Technical Advisor may begin by advising the family concerning how to get appropriate law-enforcement agencies involved in the case. In the event the criminal parental kidnapping laws in that state are not applicable (as in a case in which the kidnapping occurs prior to the issuance of court orders or, in some cases in which the parents have joint custody), the Technical Advisor will provide the families with information concerning civil law remedies. The Technical Advisor will advise the family on how to make a poster and arrange the widest possible poster distribution. Technical Advisors also refer the family to private voluntary organizations that provide assistance to families in that geographical area. Technical Advisors are assisted in case handling by the Assistant Technical Advisor and a cadre of trained volunteers.

In the event that the case is appropriate for law-enforcement involvement, the Technical Advisor will help the family secure law-enforcement assistance. This may mean providing the family with the legal and law-enforcement system information they will need in order to effectively pursue action. As a service to both families and to private nonprofit organizations servicing these families, the Center will run a check on the NCIC to ensure that the child is properly entered. (However, the Center does not have authority to enter a child into this system, either on its own or at the request of a family.)

Further, the Center will provide information concerning child recovery techniques to both law-enforcement and the families. This includes the use of search warrants, subpoenas, mail covers, photo displays, and obtaining information concerning the transfer of school transcripts, medical records, copies of birth certificates, as well as information on how to access the Federal Parent Locator Service or utilize the services of the State Department in international cases.

Realizing the system-wide demand for effective procedures, the National Center staff, working with the American Bar Association, developed a publication entitled Parental Kidnapping: How to Prevent an Abduction and What to Do if Your Child is Abducted. This book is a step-by-step guide detailing the exact measures a family should follow in a wide variety of circumstances.

This publication is available to families, law-enforcement officers, and attorneys upon request and is sent to any parent or custodian reporting a parental kidnapping to the Center. The Center has distributed over 50,000 of these books free of charge. This book was prepared as a joint project between the American Bar Association National Legal Resource Center for Child Advocacy and Protection and the National Center for Missing and Exploited Children. It also contains an annotated bibliography that has been especially useful to attorneys and a list of nonprofit groups that may be able to provide additional assistance to the families.

Families, law-enforcement officers, private voluntary organizations, private attorneys, and district attorneys often seek information from the National Center's Legal Technical Assistance Department. Many of these cases involve international kidnapping; others involve advice concerning state laws and procedures to recover the child once the abductor has been arrested. Other questions involve legal remedies in the event that conflicting custody orders have been issued in different jurisdictions.

In addition to the availability of the Legal Technical Assistance staff, the National Center has funded the publication by the National Legal Resource Center for Child Advocacy and Protection of Legal Remedies in Parental Kidnapping Cases: A Collection of Materials. This publication is available through the American Bar Association. Another popular publication produced with funds provided by the Center is "Federal Court Remedies in Interstate Child Custody and Parental Kidnapping Cases," which is available directly from the Center and details legal remedies in the event of conflicting custody orders.

The Center maintains a contract for consulting services with the American Bar Association. The Center staff has developed a new brochure designed to answer the questions of parents concerning how to prevent a parental kidnapping.

VOLUNTARILY MISSING

In the event that the National Center receives a call from a child who has voluntarily left his or her home, information will be provided about the three national runaway hotlines, and a referral will be made to them or to a local youth services provider in the child's geographical area. If necessary, the child will be kept on the hotline while arrangements are made by the Center staff with the local service provider.

If a voluntarily missing child requests assistance in returning home, help can be obtained via the Trailways Runaway Program or Greyhound Bus Lines Missing Children transportation program. The National Center's hotline staff has been instrumental in implementing both programs. Over 10,000 children have been returned to their homes through these programs.

In the event that a family of a voluntarily missing child calls to request assistance, the hotline staff will first take a full report of the circumstances surrounding the child's disappearance and then will provide information concerning the systems available to them in their local community. This includes a referral to local nonprofit organizations that provide help to families experiencing this kind of crisis. It also includes advising the family to contact the three national runaway hotlines and all local youth service providers to leave a message for the child.

Further, the Center staff will arrange to send the family information concerning some of the steps they may take to look for their child. This includes checking with friends and relatives, reporting the child to the police, and advice on making and distributing a poster. If the child is believed to be in danger, the case will be assigned to a Technical Advisor at the Center who will provide the family with additional assistance along the lines of that rendered to parents in parental kidnapping cases.

Technical Advisors for the National Center for Missing and Exploited Children have assisted in the following cases:

<u>Missing Child Cases:</u>	<u>1979</u>
Voluntary Missing	5,633
Parental Kidnapping	3,270
Abducted by Unknown Individual	251
"Other" Missings (includes lost and taken by a family member other than a parent)	473
<u>Total Missing Cases</u>	<u>9,627</u>

The Center has provided assistance in over 5,000 cases in which the child was eventually located or recovered. Because the National Center does not maintain field offices, does not perform the actual on-site investigation, and does not make the necessary court appearances for the parents, the Center does not "recover" children. Instead, the Center provides various services to individuals, organizations, and agencies in the recovery of children.

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The National Center provides advice and assistance to those who are having difficulty making "the system" work for them. "Assistance" can range from information about whether a family can obtain the help of the criminal justice system in locating the child to arranging transportation and lodging for the family to travel to pick up the child. The level of effort may be as minimal as opening a case, counseling the family, referring the family to local nonprofit support groups, and sending an appropriate publication. Or, it can be as complex and involved as prolonged active consultation with the family, several law-enforcement agencies, and attorneys for all parties.

Many families have expressed their appreciation for the assistance of the National Center in locating their children.

OF ASSISTANCE IN RECOVERY

<u>Missing Child Cases</u>	<u>Totals</u>	<u>Deceased</u>
Voluntary Missing	3,780	3
Parental Kidnapping	1,086	0
Abducted by Unknown Individual	131	42
"Other" Missing (includes lost and taken by a family member other than a parent)	292	10
<u>Totals</u>	<u>5,289</u>	<u>55</u>

SEXUAL EXPLOITATION

Although much attention has been focused on the nationwide search for missing children, the National Center for Missing and Exploited Children also offers services to families, agencies, nonprofit organizations, and criminal justice and youth services professionals in cases of child sexual exploitation.

The Center has initiated a series of projects and services designed to assist families and professionals in the investigation and prosecution of cases of child sexual exploitation. The National Center has published a Behavioral Analysis of Child Molesters for law-enforcement investigators written by FBI Supervisory Special Agent Ken Lanning. The Center is engaged in a joint project with the National District Attorneys' Association to secure private sector funding for development of training videotapes and manuals for the investigation and prosecution of child sexual assault cases.

The Center has assisted the Boys Clubs of America in the development of education and prevention programs for the children and evaluation procedures for the members and staff. These programs are currently being implemented nationwide. The Center has also worked with the American Medical Association to develop guidelines for participation by the medical community and has initiated training and education programs with the Florida Medical Association to train medical professionals on child sexual exploitation.

One series of publications developed by the Center is specifically directed at the prevention, detection, and treatment of child sexual exploitation. These publications contain advice to families concerning safety information for children and parents.

In a joint project with the American Camping Association, the Center is developing a series of publications for camp directors and camp counselors. These publications are designed to provide camp directors and counselors with information concerning abuse-reporting requirements and appropriate ways of responding when a child reveals to the camp counselor that he or she has been abused. American Camping Association members requested over 20,000 of the initial brochure in a two-week time period.

In July 1986, the National Center and the National Victim Advocacy Resource Center orchestrated an organization and training seminar for several nonprofit organizations devoted to serving the needs of the families of child victims of sexual exploitation. This seminar was held in Los Angeles, California.

Center employees assisted the Children's Hospital National Medical Center in planning and preparing for the Fourth National Conference on the Sexual Victimization of Children. Other members of the Center's staff served as presenters at that Conference. In addition, the Center hosted an evening "meet the professionals" seminar for concerned professionals and the parents of children abused in the daycare/mass sexual abuse cases.

As a further effort to provide assistance in cases of sexual exploitation, the National Center entered into a contract with the American Bar Association National Legal Resource Center for Child Advocacy and Protection for the development of model legislation pertaining to courtroom reform. This volume, now available through the American Bar Association, is entitled Protecting Child Victim/Witnesses: Sample Laws and Materials. Also, the National Center is cosponsoring a judicial training conference in Cook County, Illinois, that will focus on the discretionary power of judges to fashion a less hostile environment for a child witness. This judicial training conference is scheduled for September 1986.

The Center's Technical Advisors and Legal Technical Advisors also serve the families and the professionals who investigate and prosecute cases of child sexual exploitation. Further, the Center provides technical assistance to the social service and youth systems providers who assist the victims of these cases.

The Center's Technical Advisors have provided technical assistance to families, agencies, and organizations in the following types of cases of sexual exploitation:

<u>Child Sexual Exploitation Cases</u>	<u>Totals</u>
Child Pornography	172
Child Prostitution	263
Child Sex-Ring	166
<u>Inter-Family Sex Cases</u>	<u>402</u>
Total Cases, Exploited Children	1,003

TRAINING FOR PROFESSIONALS

The National Center for Missing and Exploited Children provides training for professionals who service the families and child victims. Crimes committed against children are among the most difficult challenges facing the criminal justice and social service systems. Coupled with the dramatic increase in the reporting of these crimes, these challenges have created an unprecedented demand for training of professionals in these fields.

Investigators need training concerning appropriate search techniques, innovative technology, use of federal and state resources, and the complex of laws delineating their authority in voluntary missing and parental kidnapping cases. Further, they need information concerning interviewing techniques, anatomically correct dolls, and child development. To avoid insensitive handling of the victims' emotional crises, they also need information relative to the psychological impact of these crimes upon the victims and the families. Social service professionals, mental health professionals, medical professionals, victim advocates, and others need similar guidance.

As part of its mandate for technical assistance, the National Center has provided training directly to over 14,000 law-enforcement, criminal/juvenile justice, and social service personnel in 37 states. The training focuses on child sexual exploitation and missing child case identification and investigation.

The Center is regularly invited to participate in the law-enforcement training programs offered through the Federal Law Enforcement Training Center (FLETC) of the Treasury Department. FLETC offers professional training programs offered to the state and local law-enforcement agencies through an interactive agreement with the Office of Juvenile Justice and Delinquency Prevention. The Center developed the curricula now adopted by FLETC and OJJDP on missing and

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exploited child investigations. These agencies also require the use of Center investigative manuals in training sessions for local and state law-enforcement agencies.

The Center has provided courses to state and local law-enforcement through colleges and state criminal justice training programs. Additionally, special sessions for training programs are provided to individual law-enforcement agencies. The Center has provided training to state police officials and district attorneys, and was invited to participate in the recent Bureau of Indian Affairs Law Enforcement Conference.

The Center's outreach effort to improve understanding and awareness about the issues of missing or exploited children has included presentations to child-serving organizations, education organizations, victim-assistance groups, medical conferences, and law-enforcement and judicial conferences.

In addition to the on-site training by the National Center's Technical Advisory staff, the Center has written The Investigator's Guide to Missing Child Cases: For Law-Enforcement Officers Locating Missing Children. This guide deals with investigative techniques for children kidnapped by nonfamily members, parental kidnappings, and voluntary missings, and contains suggestions for handling those baffling cases in which there is not enough evidence to decide why the child is missing (unknown missings). Over 35,000 of those publications have been distributed to law-enforcement officers.

As previously mentioned, the Center has published Child Molesters: A Behavioral Analysis for Law-Enforcement Officers Investigating Cases of Child Sexual Exploitation, written by FBI Supervisory Special Agent Ken Lanning. Over 25,000 of those publications have been distributed to law-enforcement officers nationwide. Work is underway for a new technical manual for law-enforcement officers investigating cases of child sexual exploitation. Completion of this work is projected for the fall.

The Center will soon complete publication of a new book by Dr. Ann W. Burgess of Boston City Hospitals, School of Nursing, entitled Youth At Risk: Understanding Runaway and Exploited Youth. This publication explores some of the relationships between sexual abuse in the home, sexual exploitation on the streets, and children who voluntarily leave home.

NATIONAL CONFERENCE

The I-SEARCH unit of the Illinois State Police and the National Center for Missing and Exploited Children cosponsored the National Conference on Missing and Exploited Children in Chicago in March of 1986. This was a national training conference attended by law-enforcement officers, criminal justice, social service, and youth systems professionals, as well as families and representatives of nonprofit organizations. More than 700 persons attended the Conference. The evaluations of the Conference materials indicated the importance of conducting further conferences, and the Center is planning the second annual Missing and Exploited Children Conference for June of 1987.

LAWS TO PROTECT CHILDREN

One of the most important of the National Center's tasks has been the national dissemination of information and advice concerning innovative and model child protection legislation. The Center identified thirteen areas of concern to professionals: missing children; sexual abuse and exploitation; criminal code provisions; the child in the courtroom; protecting the privacy of the child victim; education and prevention; school programs; licensing and criminal history information; training for youth system, social services, and criminal justice professionals; treatment and rehabilitation of the child victim; court-appointed advocates; parental kidnapping; and child pornography and prostitution. The Center published Selected State Legislation: A Guide for Effective State Laws to Protect Children to encourage changes in policy and law that impact on the criminal/juvenile justice and social services systems' ability to handle cases involving children. Over 30,000 of these books have been distributed, upon request, to legislators, government officials, professionals, and citizens.

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The effort to initiate more effective legislation at the state level has seen dramatic success. Twenty-seven states have enacted legislation to prohibit law-enforcement agencies from establishing an arbitrary waiting period before the agency will accept the report of a missing child. Nineteen states require that law-enforcement initiate a prompt investigation into the circumstances of a child's disappearance so that reasonable decisions concerning follow-up can be made based on the facts of the individual case. Twenty-three states have enacted legislation to establish a state clearinghouse to serve as a state resource center.

Thirty-one states have enacted legislation requiring that local law-enforcement enter missing children in the National Crime Information Center's Missing Person File (NCIC-MPF). These laws, when obeyed by law-enforcement authorities, have resulted in an increase in the number of children listed in the NCIC-MPF from 100,000 in 1981 to over 332,000 in 1985. NCIC officials have estimated that entries in 1986 will top 400,000.

The Center has received a significant increase in inquiries concerning parental kidnapping legislation. A great deal of this interest is expressed by law-enforcement agencies beginning to grapple with inadequacies in state laws and expressing interest in enacting enforceable state laws in this area. Of concern are issues pertaining to greater penalties for concealment of children, confusion over the effect of a joint custody order, and clarification of law-enforcement's role in the recovery of the child following the arrest of the abductor.

The Center is also receiving many inquiries concerning Senate ratification of the Hague Convention on the Civil Aspects of International Child Abduction. The Center has submitted testimony and advice and counsel in support of ratification and serves on the Study Group on International Child Abduction of the Secretary of State's Advisory Committee on Private International Law and Organizations and Persons Concerned about International Child Abductions.

Other areas of legislative interest across the United States include courtroom reform to reduce the trauma to the child witness and criminal history record screening of persons working with children to reduce the chance of an employer hiring a convicted child molester. The Center has recently printed a legislative update entitled "State Legislation to Protect Children: An Update on the Nation's Progress to Implement Effective Laws Preventing Child Victimization." Further, the Center has submitted comments to the United States Sentencing Commission concerning sentencing policies directed at child molesters.

STATE CLEARINGHOUSES AND INTERSTATE NETWORKS

With the development of a significant number of state clearinghouses, the Office of Juvenile Justice and Delinquency Prevention has entered into an additional cooperative agreement with the National Center to coordinate these agencies. Twenty-two states have enacted legislation to establish a state clearinghouse. Other states have established state resource centers as all struggle with questions concerning conflicts in state laws relating to parental kidnapping and voluntary missing cases and other difficult issues pertaining to coordinating programs across state lines. State clearinghouses also are providing focus for state training programs.

The Center has hosted two State Clearinghouse Training Conferences, the first in Washington, D.C., in September 1985 and the second in Louisville, Kentucky, in April 1986. A State Clearinghouses Liaison Group has been established by the Center and several state clearinghouses to provide direction in the dissemination of OJJDP state clearinghouse funding, assistance in networking between state clearinghouses, and developing common data bases.

Several states have banded together, forming regional groups to examine issues of interstate cooperation. These groups are addressing difficult issues of coordination of programs across state lines and sharing of information and resources. The Center has played a role in the development of these interstate agreements and the implementation of their programs.

EDUCATION AND PREVENTION PROGRAMS

The National Center for Missing and Exploited Children has assembled a multidisciplinary educational task force made up of leading professionals in the field of child protection. Chaired by Dr. Vincent Fontana, Pediatrician-in-Chief at the New York Foundling Hospital, the task force has initiated a program intended to improve safety education and prevention messages through policy statements, educational materials, and articles in professional journals.

Key to developing improved prevention strategies is a realistic understanding of how and why children become victims of these crimes. For this reason the National Center has used its capabilities as a clearinghouse to compile and evaluate information concerning the circumstances surrounding the crime of kidnapping by nonfamily members. Although the research continues, the initial findings indicate strongly where areas of many prevention programs need to be changed or additional issues addressed.

Analysis of 1,299 cases confirmed a direct link between kidnapping and exploitation. Seventy percent of the child victims studied were not only kidnapped but also victims of sexual assault, physical assault, or murder. These serious crimes can be significantly reduced by the prevention of the kidnapping. In addition, a significant number of kidnappings are preventable. With almost half the children in the study being lured, it is clear that alerting children to common lures would significantly reduce these crimes. We also found that older children are much more vulnerable than previously believed. The most victimized age group was 10-14 years, yet most prevention programs are geared toward younger children.

In the process of gathering the data, the Center found 211 cases of kidnapping in two cities' law-enforcement records in one year. Because virtually all these children had been victims of sexual assault or murder, most were classified in the records only under these subsequent crimes. Yet, all these cases were actually criminal kidnapping cases as well.

In addition to the many publications generated from the Center, the National Center has worked closely with other national and regional programs in the development of sound educational materials. The Center has been working with the National Education Association to develop an in-service teacher training program and has consulted in the development of the Boys Clubs of America prevention program. The Center offers, on an ongoing basis, professional expertise to text and script writers, documentaries, and public service announcements. As an outreach program in education, the National Center also offers a Speakers Bureau to professionals, legislators, and community organizations. A wide variety of expertise is offered to the various audiences through this program.

CAMPAIGN TO PROTECT OUR CHILDREN

The National Center has embarked on a nationwide Campaign to Protect Our Children. The Campaign is an effort to encourage states to enact needed child protective legislation. A second goal of the Campaign is to encourage the states to develop and institutionalize safety curricula within their school systems. At the present time, forty-two states and the District of Columbia have elected to participate in the Campaign. Many states have already addressed the issue of safety curricula, and shared their experiences and insights with officials from other states at the Alexandria, Virginia, Campaign Kickoff in May of 1986.

PRIVATE SECTOR PARTNERSHIP

Although the National Center initially received 100 percent of its funding from the Office of Juvenile Justice and Delinquency Prevention, the federal funding for the National Center will cover only two thirds of the National Center's budget for the grant year 1986-1987. The National Center's federal funding for grant year 1986-1987 is 1.87 million dollars. (The National

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Center will also receive \$500,000 in "seed money" funds to disburse to state clearinghouses. If the present program of the Center are to be sustained, additional resources will need to be obtained from the private sector.

The Center has been fortunate to secure support from the private sector in order to ensure that essential programs continue. This support has come from such corporate and citizens as Worlds of Wonder, Texaco, Delta, Hawaii, and other concerned businesses. Private sector support clearly makes a difference in the effort to find and protect children. An example is the case of a nine-year-old girl who had been living in foster care for more than five years. The little girl had been taken from her mother in Phoenix, Arizona, in December of 1980 by a babysitter. In 1986, a social services professional called the hotline to inquire whether this little girl, who was insisting that she wanted to find her mother, could be a "missing child." Hotline staff recognized the first and middle names and date of birth as being identical to those of the missing Arizona girl, and further investigation identified her as the Arizona child. Through the generous support of the private sector, the Center was able to arrange a flight and lodging for her mother to travel from Florida to California to recover her daughter.

Another example of the support the National Center has received from the private sector is the development of the Lifenet system. A consortium of computer hardware and software companies have donated their time, equipment, and expertise to the development of a system to use image-processing technology to instantaneously transmit and receive pictures of missing children among missing children organizations, state clearinghouses, and police agencies. This technology is currently being tested.

The Center receives fundraising proposals directed at the development of financial resources to assist in our efforts. The Center has referred over 40 of these proposals to community-based groups in the geographic area of the fundraiser. In addition, the Center has participated in fundraising activities to assist others among the wide variety of child-serving and nonprofit organizations.

The Center has participated in private resource development programs with nonprofit crime prevention organizations, community runaway shelters, a sexual assault treatment center, a state-based juvenile crime commission, and a national youth-serving organization. In addition, the Center has provided technical assistance in fundraising activities to several nonprofit child-serving organizations. Finally, the Center is planning additional resource development projects with various nonprofit organizations.

The Center has also worked with service providers for the voluntarily missing, child abuse prevention groups, victims' organizations, rape crisis organizations, domestic violence groups, sexual exploitation organizations, and crime prevention groups as well as the larger national groups such as the Boys Clubs of America, the YMCA, and the PTA.

The Center provides a variety of services to the nonprofit missing children's groups, such as technical assistance on cases, written publications, fundraising assistance, participation in state legislative efforts, and Institute for Nonprofit Organization Management (INPOM) training. The Center will check NCIC entry of cases worked by missing children organizations upon request and has formed a steering committee of these organizations to solicit their suggestions.

The Center has also secured a commitment from a national software company for the donation of a software package to provide computer assistance in case opening, case activity records, newsletter mailing labels, financial records, and contribution files. The Center has also received a pledge from a national computer distributor for installation and servicing of equipment and training of nonprofit missing children organization personnel in the use of this computer package. This donation is earmarked for use by the private nonprofit missing children organizations.

While the National Center for Missing and Exploited Children has accomplished a great deal in its short time, steps are now being taken to provide continuing support programs for the families and professionals involved in cases of missing or sexually exploited youth. Our ultimate goal is to institutionalize the systems that will better protect children from victimization by crime and to change law and policy to better enable the justice and human service systems to handle cases of crimes against children.

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- ~~~~ Child Protection Priorities in State Legislation a brochure that includes a guide to the legislative process.
- ~~~~ Parental Kidnapping a handbook for parents, law-enforcement, and others who deal directly with cases of parental kidnapping.
- ~~~~ Federal Court Remedies in Interstate Child Custody and Parental Kidnapping Cases primarily for attorneys and state clearinghouses.
- ~~~~ Investigator's Guide to Missing Child Cases a handbook for law-enforcement officers locating missing children.
- ~~~~ Child Molesters: A Behavioral Analysis a handbook for law-enforcement officers investigating cases of child sexual exploitation and abuse.
- ~~~~ Support Services in Your State
- ~~~~ Informational Brochure a description of the National Center and a brief discussion of the issues of missing and exploited children.
- ~~~~ Child Protection a brochure of safety tips for parents and children.
- ~~~~ Just in Case...Your Child Is Missing a brochure of preparation and action for parents.
- ~~~~ Just in Case...Your Child Is the Victim of Sexual Abuse or Exploitation a brochure of guidelines for parents.
- ~~~~ Just in Case...Your Child Is a Runaway includes "missing poster" format.
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Mr. KILDEE. Mr. Callaway.

Mr. CALLAWAY. As Bud has told you, I am Robbie Callaway. I am the national director for the Boys Clubs of America.

The National Center for Missing and Exploited Children was established in April 1984, and entered into a cooperative agreement with the Office of Juvenile Justice, and Delinquency Prevention, several months prior to the passage of the Missing Children's Assistance Act.

The Center was established to initiate programs to protect children, and to provide assistance in handling cases of missing children, child molestation, child pornography, and child prostitution.

Since the date that the National Center entered into the cooperative agreement and opened its doors, it has responded to an unanticipated demand from Americans concerned about issues pertaining to missing children or child exploitation.

Mr. Chairman, our written statement is provided for the record in its entirety, but I would appreciate the opportunity to highlight briefly, some of the areas mentioned, in an effort to outline for the subcommittee both the magnitude of the demand for information and assistance on these issues, and the Center's role in serving as a national clearinghouse providing technical assistance, coordinating public and private programs, and disseminating information.

Marcella Davis, age 7, went to the park in Sacramento, CA, with her brother, and a neighborhood friend, when a man approached her and offered her a baby duck, if she would go down to the pond with him to get it. He took her to a secluded area and raped and sodomized her. To stifle her screams, he stuffed her shorts, two plastic bags and another piece of plastic down her throat. She suffocated when she inhaled the plastic.

In Herndon, VA, police still are looking for a man who lured an 11-year-old boy from the school grounds of a local elementary school by telling the boy, "My four-wheel-drive is stuck in the woods, help me." The man is now wanted on indecent liberties charges.

Zosha Pickett, age 2½, was kidnaped from her bedroom in her own home June 27, 1986, while she and her parents slept. Someone had pried open the bedroom window and cut a hole in the screen. Her body was found 5 days later. She had been stabbed. This occurred in Tucson, AZ, where five similar cases occurred between 1983 and 1984.

Psychiatrists and psychologists advise parents in Tucson to talk to their children about Zosha Pickett and what happened to her. They give advice to parents on how to discuss the tragedy, without increasing their children's alarm.

Calls to the National Center's nationwide toll-free hotline, which began operation in October 1984, totaled more than 180,000 calls through the end of June 1986. More than 25,000 of these calls concerned specific information about the possible location of a missing child. The Center was able to provide technical assistance in over 10,000 individual cases of missing children or child exploitation.

Let's talk about the real people, because I know you are concerned, Congressman. A 10-year-old girl, newly enrolled in a California school, was returned to her father after her teacher became curious following a creative writing project in which the girl re-

peatedly expressed her desire to see her father and her brother again.

The girl told her teacher and her mother had told her that "Daddy moved away, but Daddy had just gotten custody of me." The teacher called the National Center's hotline, and the Center's technical advisors, a group of extremely dedicated people, who care about kids and do work that I couldn't do every day, were successful in locating the father, even though he had never reported his case to the National Center.

The girl told her teacher, "I prayed and prayed I would see Daddy again, and I got my prayer."

On June 30, 1986, a few days ago, a social worker in Texas who had recently received a training presentation by the National Center, received information on a child abuse case that included a tip that the child might have been abducted.

She called the hotline, and the technical advisor was able to locate the mother and provide her with advice on how to recover her child. They arranged assistance in transportation and lodging when the mother went to Texas, and to recover her child.

Another case to the hotline, a trucker in Virginia called the hotline to report, that he was concerned about the safety of a very young-looking teenage runaway named Dianne, who said she was from Omaha.

He described what she looked like and what she was wearing. From the description of her high school jacket, a technical advisor was able to track down her mother in Omaha, although the case had never been reported to the National Center by the local authorities.

The Virginia State Police responded to the request of the technical advisor and located the girl on the highway, and the girl returned to her family in Nebraska. And arrangements were made, with the help of the National Center and friends in the private sector.

Area two: A large part of the Center's service as a national clearinghouse concerns the dissemination of information. The Center has 18 publications that have been distributed at no charge to the public. These materials include information on effective State legislation, as well as guidelines for parents, and law enforcement agencies, in cases of missing children and child sexual exploitation.

We also publish an extensive list of written materials on reasonable, and effective safety information, for families and children, on such topics as child sexual abuse, missing children, runaways, choosing a babysitter, and preventing certain crimes against children.

I took it to where I get my haircut, and the woman called me, and said it was the hottest ticket that they put out there, common sense advice given to parents, not a Government publication necessary.

This fall, we will publish a detailed study of runaway youth, entitled "Youth at Risk: Understanding Runaway and Exploited Youth."

Mr. Chairman, since these publications first became available in January 1985, the Center has distributed more than 800,000 copies nationwide. In addition, one of our most significant outreach pro-

grams is the training of professionals in the investigation, and prosecution of crimes, against children.

As a part of its mandate for technical assistance, the National Center has provided training directly to over 14,000 law enforcement, and social services personnel, in 37 States. Is it necessary?

A fellow named John David Norman, he operated a child sex ring in Chicago, IL, until 1978. This operation was run through a travel agency and customers would call and put in an order for the type of boy and type of sex act that they desired.

John David Norman also published several publications, among them *Male Call*, *Hard Times* and *Teenage Masturbation*.

Is this man in prison? He was convicted of eight counts of child molestation in 1978 and sentenced to prison. He was paroled in 1980, with notice to the State's attorney or the Chicago Police, and he has since violated parole and disappeared.

In 1985, he was rearrested for child molestation in Gettysburg, PA, 45 miles from my house. He posted bail and disappeared.

The National Center is coordinating the efforts of local, State, Federal and international law enforcement in the search of John David Norman.

The third area: One of the most important tasks has been the national dissemination of information concerning innovative and model child protection legislation. Our guide to effective State laws to protect children concerns itself with such issues as sexual abuse and exploitation, criminal code provisions, the child in the courtroom, missing children, protecting the privacy of the child victim, education and prevention, school programs, training for professionals, the treatment and rehabilitation of the child victim, and child pornography and prostitution.

More than 30,000 of these books have been distributed to legislators, government officials, professionals and citizens. This advocacy and education program has resulted in dozens of laws which have been passed at the State level to protect children.

In my home State of Maryland, the Center was helpful in the passage of a criminal records check bill, which the Boys Club strongly supports, and the first Boys Club was created 125 years ago.

We want to be able to check out our employees and volunteers.

Area four, with the development of a significant number of State clearinghouses, the National Center has been charged by the Office of Juvenile Justice and Delinquency Prevention with the responsibility to coordinate and assist these agencies. Twenty-two States have enacted legislation to establish a State clearinghouse.

A dozen other States have established some form of resource center to assist the citizens in such activities as education and prevention, coordination and sharing of information, and the establishment of a State clearinghouse function.

The Center has also embarked on a nationwide campaign to protect our children. The focus of this effort is to encourage States to enact needed child protection legislation and to encourage them to develop institutionalized child safety programs, not programs that scare kids.

At the present time, 42 States and the District of Columbia have elected to participate in this campaign.

Area five, the National Center for Missing and Exploited Children has assembled a multidisciplinary educational task force made up of leading professionals in the field of child protection. Chaired by Dr. Vincent Fontana, pediatrician-in-chief at the New York Foundling Hospital, the task force has initiated a program intended to improve safety and education and prevention messages through policy statements, educational materials, and curricula.

Area six, the Center has worked directly with dozens of nonprofit organizations to develop private-sector resources, and to provide technical assistance, organizational skills, and prevention and education programs.

We have participated in resource development programs with nonprofit crime prevention organizations, runaway shelters, sexual assault treatment centers, juvenile crime organizations, and an international youth-serving organization.

In addition, the National Center has worked together with responsible leaders from the business and corporate community to provide resources to searching families in the form of transportation, shelter, food and lodging. A lot of these parents couldn't do that on their own.

Mr. Chairman, there is a new spirit of teamwork being brought to bear upon the issue of child exploitation. An example of this kind of teamwork is the case of a 4-year-old girl who had been living in foster care for more than 5 years.

The little girl had been taken from her mother in Phoenix, AZ, in December 1980 by an individual posing as a babysitter. In 1986, a social services professional from the west coast called to inquire whether this little girl, who was insisting that she wanted to find her mother, could be a missing child.

National Center hotline staff recognized the first and middle names and date of birth as being identical to those of the missing Arizona girl, and further investigation identified her as that child through the generous support of the private sector. The Center was able to arrange a flight and food and lodging for her mother to travel from Florida to California and return in the process of recovering her child.

Mr. MAXWORTH. I would like to add a personal statement as to why I am so involved in missing children. I was a chairman of the Ad Hoc Coalition for Juvenile Justice in 1980. At that time, the Juvenile Justice and Delinquency Prevention Act was being reauthorized, and the hottest issue was the validation of the Valid Court Order Amendment, as you recall. We worked closely.

You were a champion and came to the fore on that issue, and your commitment to kids came through loud and clear at the time.

Throughout that reauthorization, I worked very closely with your staff and spent a lot of time and I helped lead the advocacy charge against that amendment, and we fought the good fight, struggled hard on that one, and we lost in the 1980 lame duck session.

Why was I so supportive of you on this issue? Because, as you may recall from our discussions at the time, I began my career working in a shelter for runaways and abused kids, that is how I got started. I didn't start out as a Washington representative for the Boys Club.

I knew these runaway kids did not belong in jail. They needed shelter and we needed to let their parents know where they were.

Mr. Chairman, I, like you, genuinely care about kids and their families. I was later approached to become in the Missing Children's Assistance Act battle. Many of my youth advocate friends were critical of my support for this original Missing Children's Assistance Act, because there was no money attached to this original bill.

Mr. Chairman, just as in the case of the valid court order fight, I was involved because it was the right thing to do for America's children and families. Since that time, I have talked with many parents whose children have been exploited by some of the scum in this country that preys on children.

I have also talked with the parents of many missing children, and Mr. Chairman, these cases help keep me involved in the issues, because it is the right thing to do, just like the valid court order was the right thing for us to be involved in, it is the right thing to do.

Rather than have me sit here and recite the facts of an actual case, I would to have Debbie Carlson take a few minutes of my time, because I can't do it as well as she can. I can recite cases, but let me give a few minutes of my time to her and tell her real-life case to you.

Mrs. CARLSON. Thank you, Mr. Chairman, for allowing me to speak. My name is Debbie Carlson from Tucson, AZ. On September 17, 1984, at 3:50 p.m., is when our life-shattering experience occurred.

Our daughter, Vicki Lynn Hoskinson, was 8 years old. I sent her on an errand to mail a letter two short blocks from our home. She got to the mailbox and on the way home, she stopped by a friend's house to play.

She said, "I have to go home and ask my mother first if I can." Vicki never made it home. She was riding her bike and was hit, knocked off her bike and kidnaped by a stranger.

It is when this devastating day began, her whole life was shattered in seconds. For 7 very, very long months, we never knew where our daughter was, whether she was alive or dead. Was she alive? If she was, was she being fed? Was she all right?

The unknowing was overwhelming. We became involved with the National Center, and within the first week of her disappearance, the Center called the local law enforcement. We had been aware of the National Center, which we called them right back and at that time, I became very involved.

She helped us in a great many ways, and without their support, without having some help beyond our city, beyond our State, I could not imagine going through it.

On April 12, 1985, Vicki was found. A man who went to find his dog came across the skull of a child. He called the law enforcement. They came out, and they began a search. At that time, along with the skull, 5 vertebrae, 11 ribs, 1 chin bone, 1 arm bone and miscellaneous bone fragments were found.

Two days later, she was positively identified as Vicki. I can't begin to tell you, my child is no longer missing, but it just as real

today as it was on September 17, of 1984. We live it, we sleep it, we eat it, we walk it every minute of our life.

It never goes away, never.

My heart goes out to the families, that their children are still missing, because the not knowing is the absolute worst. We have comfort in knowing where Vicki is, and it is my determination to keep on fighting for missing children and the issues that the National Center work so hard for, the dedicated, caring professional people, because without them, I would have been lost. Our family would have been lost.

I owe so much to the National Center, as far as to say they saved my life. On three occasions, with a bottle of pills sitting in front of me, devastated, ready to throw in the towel, I couldn't take it any more, I was able to be able to reach out to the National Center and call our technical advisor, who kept me on the phone for hour on end until he knew I was OK.

Without them, I wouldn't be here today to be able to testify in behalf of our missing children and their families.

Keeping the National Center is of utmost importance, and keeping the funding for the Center is of utmost importance. Failing to do so would be irresponsible to the missing children, their families, and the rest of the people of this Nation.

Thank you.

Mr. KILDEE. Thank you very much, Mrs. Carlson.

Your testimony certainly will help us in reaffirming and strengthening our commitment to missing children and their families, and I personally appreciate your testimony this morning.

Thank you very much.

Mr. Howell.

Mr. HOWELL. We would be happy to answer any questions regarding any of the activities that have come under the administration of the act.

Mr. KILDEE. Mr. Speirs, I will start with you.

You state that all but approximately \$1 million of fiscal year 1986 funding has been obligated, all but \$1 million have been obligated. Yet, the fiscal year 1986 program priorities have not yet been published in final form.

I realize that you are rather new aboard the Agency, but this seems to be a little bit of putting the cart before the horse, because we did require comments on the priorities, and after that comment period, then the funds be obligated.

What would happen, Mr. Speirs, if say, overwhelmingly the public does not agree with your program priorities? Will you have the necessary funds to support the changes that may come as a result of the public comments?

Mr. SPEIRS. Maybe I could give you a little bit of background and then answer the specific question.

The program priorities were published for 1985 with the advice of the Advisory Board as called for in the act. The Board was again advised at their last meeting last November that we would need to go out and again publish the priorities. Those were published, I think in the Register of June 24, if I am not mistaken—I am sorry, July 30, 1986.

The program priorities again went out indicating that basically, the money for fiscal year 1986 was by a major part follow-through on what had been established the first year.

Now, if there is major comment, or if there are recommendations that come back, we do have some money that we could use to address other issues. But as you look at the seven priorities and what we have done, basically, we are following through on those same major elements or issues that we looked at when the Board gave their advice and input into the Administrator's program and looked at what we would do again in 1986.

Mr. KILDER. Look forward to working with you on this, as far as the Federal role is concerned.

It is extremely important that we solicit it and indeed, welcome input from people out in the field. I have been here 10 years, and the longer I have been here, the more I am convinced that all wisdom does not reside here in Washington.

It is very important that we follow the procedures, get as much input, information and ideas from around the country before we obligate funds and move down a path. Regarding Federal involvement, we are in our infancy right now. Therefore it is very important to reach out and try to get as much information, ideas and sensitivity as possible to determine where these very limited dollars should go.

I am embarrassed at the limited amount of dollars that we set aside for our children in our country in general, and it is very, very important to provide assistance to our children.

I keep trying to push for more dollars. At the same time, I think we have to make sure that each dollar is spent as carefully and in as informed a way as possible. Early input from the field, from parents, and from advocates, would be very, very helpful and a great improvement in the program.

That was the congressional intent.

Mr. SPEARS. I would like to assure you that our intent is to be sensitive to that input. We have an agenda item for the next Advisory Board meeting coming up in 3 months, to look at the priorities for 1987 funds, and we will be very sensitive to that, Mr. Chairman.

Mr. KILDER. Before I turn to Mr. Tauke, one of the most important tasks given the Department was to conduct a periodic national incidence study to determine, for certain years, how many children are missing, and how many of these children are recovered. It is a bit discouraging to hear that not a great deal of progress has been made in conducting that first study.

The results of that study will not be available until 1988, which means the Congress in the next reauthorization will not have that available to guide us in how to make this law work better.

Ms. Easton, since that was mandated in the act of October 1984, why will so much time have elapsed before we see any results of that incident study?

Ms. EASTON. It was a mammoth task. As we approached it initially, we sat down with research staff and thought of different ways we could do it. Then we gathered a group of experts together, people who had done this kind of surveying of rare and sensitive phenomena, and met with them for 8 hours 1 day. What came out

of that meeting was that they suggested we start with a series of pilot studies to determine the best way to conduct the national incidence study, and that is what we are in the process of doing right now.

We funded one. The second one is about to be funded, and the third one will be coming along shortly. This is to test the different methods of surveying the incidences of missing children.

There have been studies done previously. I think it is pretty fair to say, there is not a lot of confidence in the numbers that are quoted from previous studies, and so we are doing this with great care and deliberation.

It is taking a long time, but we feel confident that when we have our methods selected and finally embark on the national incidence study, based on the results of the pilot studies and the advice of survey experts on these pilots, we will have a very reliable set of figures for the first time, not only on incidences, but the character of the incidences and other details about the phenomenon of missing children.

Mr. KILDEE. I don't want to rush a study and then not have a good study, but we must try to get the study as soon as possible and still have a study with great validity. One of the reasons I am concerned is this, that while one child missing is of great concern to all of us, including the Federal Government, the more we know about the nature of the problem, the better we can determine how our resources should be obligated.

When we go before the Appropriations Committee, it is very important to be able to show them the size of the problem, and how much of the resources are necessary to address that problem. So while we urge you—and I will continue to urge you—to complete that study, because I wish we would have it ready for our reauthorization, at the same time, I want a study that is going to be credible.

Mr. Tauke.

Mr. TAUKE. Thank you, Mr. Chairman.

I have a series of specific questions that I would like to ask, but let us begin with a more general question which I am not sure was answered in the course of the testimony, and that question is, quite simply, are we making any progress?

Mr. HOWELL. As the chairman indicated, we are in the infancy of Federal involvement in this issue, in fact, this society is in its infancy. There are articulable areas to look at for progress, and that is State legislation to protect children.

In the ABA's assessment, they look at the last 2 or 3 years as having been more productive in those areas than the previous 10, and that is significant. Whether it is the kind of courtroom reform being looked at and approved at the State level for childhood witnesses, or individual laws that impact upon the prevention of victimization, or resources to help families, that is No. 1.

You have got to look at the training of those professionals who are on the frontlines out there. These cases normally fall into the lap of social services and law enforcement professionals nationwide, and they have got to have that information.

That training is now coming from the Federal Law Enforcement Training Center, from the National Center, and a host of State

agencies. Is the battle won? No; it is a good barometer of what is being done.

The third is prevention education, and we are finally starting to look at some of the long-range impacts of the things we have done in the past, telling kids about strangers, watch out for them, and some real mistakes that have been made that have left kids unprepared to deal with the world.

Those three areas are worth looking at in terms of barometers and they show a lot of activity and progress, but a lot remains to be done.

Mr. TAUKE. Are we any closer to getting a handle on the problem than we were a few years ago?

Mr. HOWELL. This issue has suffered clearly from a lack of information and understanding. To look at a few examples, we can shed some light on this.

What do we see? We see general acceptance at the Federal level about a population of runaway or homeless children at 1 million or higher. We see incidence studies about parental kidnaping, and numbers of that that run across the board.

The number of children who are kidnaped by unknown persons in this country, you regularly will see reports of people indicating usually based upon the FBI's Federal numbers that this may be less than 100 or 300. Nothing could be further from the truth, and we got written testimony to provide, but I have seen countless accounts of this, reliance upon the Bureau's statement about Federal investigations to suggest that is some kind of incidence level. It is not.

Ken Lanning, the primary expert from the FBI, spoke at a national conference in May to try to clear this up a little bit, and 30 seconds of this would help this issue significantly.

[A transcription of the tape presentation follows.]

Mentioning a couple of statistics, one thing that I would like to clarify is that numerous recent newspaper articles about this problem, and the nature of it and the size of it, have quoted the FBI as stating and implying that there are only 69 stranger abductions in a particular year, depending on which newspaper you read, its either 68, 69 or 67. I would like to clarify that. The FBI never stated that there were 69 stranger abductions in any given year. What we said was that, in a given year, that's how many cases that we had enough information to open up a federal kidnaping case. And what that means is the child had to either be abducted and found in another state, or abducted and not found at all, and that is what is included in that figure. Now, if a child is abducted and found in the same state, that number is not in the 69. If the child is abducted by a parent, that number is not in the 69. If the child is abducted and the case is not reported to the FBI, that is not in the 69. So, the FBI is not saying that there is only 69 stranger abducted children.

Mr. HOWELL. That is news right there, Mr. Tauke, to a lot of people. That is the facts. In looking at police record data, we examined two studies for all crimes against children in 1 year, and found 211 cases of kidnaping and 56 attempts.

What is not often understood is where those statistics really lie, and how to accurately get them out. Some people believe you can look at State clearinghouse records at a given time and find kidnaping cases of children, and you can't. They are not cataloged and classified that way, so what do we know?

We know that the incidence of that crime is much different than a lot of people would imagine, and the last thing to say about it is

the scenario is much different. Unfortunately, a lot of the children, whether it is Adam Walsh, Vicki Lynn, a lot of the kids that are well known in this country were killed in a very short period of time, so you typically have a scenario where one person kidnaps a child, takes them to a second location, usually somewhere in that geographic area, sexually assaults them and releases them hours later, and sometimes they are murdered.

That is the danger children really face from kidnapping in this country. We believe that incidence to be somewhere between 4,000 and 20,000 per year, using the State statute of the crime of kidnapping as a guide, that will accurately put some flesh onto what is often a misunderstood crime against children and was often a misunderstood area of child protection.

Mr. TAURE. What is the priority of the Federal Government in this area, the child who is kidnapped by a third party, is that the priority of the Center, and the Federal Government generally?

Mr. Speirs or Mr. Howell, any of you.

Mr. HOWELL. Kidnaped by a third person?

Mr. TAURE. A stranger.

Mr. HOWELL. That is often misinterpreted. It isn't. This is a much broader issue than that.

Mr. TAURE. Some of your critics will say, and I am going to occasionally raise what your critics are saying, since you come first and some of those other questions will be raised later, some of your critics will say that, all the attention is focused on that issue, which is, as I understand it, a relatively small percentage of the cases with which you are involved.

Would you like to speak to that question?

Mr. HOWELL. That is an excellent point, exactly right. Most of the attention that we have done that we have seen in this society has found its way to one particular aspect of that.

Most of the work is not concerned with that. Most of the work that is ongoing is concerning State laws to protect children, the training of professionals, the handling of all kinds of missing children cases, a move up the ladder of parental kidnapping, and the risk to voluntarily missing children.

That has received an undue amount of attention, no doubt about it. It is unfortunate, but it is a reality we all face, and it is very simply this: In the exposure and discussion of any issue, we will also visit our attention most frequently on the most dramatic part of that issue. That doesn't mean the work that is doing on is directed toward that end, but it means the attention is, and that is unfortunate.

Mr. TAURE. Do you think the overall cause has been hurt because--again I would ask any of the members of the panel--for a while, one of the popularly quoted statistics in Congress and elsewhere was there were 2 million children that were missing every year, and the impression certainly was left that most of them were abducted by strangers. Has the cause been hurt by that kind of misunderstanding?

Mr. HOWELL. No doubt about it. There was a misconception that found its way into not only the Congress but the public; if you say missing child, you are automatically talking about kidnaped child, if you talk about a kidnaped child, you are talking about a child

gone forever. Neither of those statements is true. I think we have come a long distance in getting around that in an accurate understanding, but it hurt, and it was some of the growing pains we were forced to go through on these issues. They are not as simple as they appear on the surface.

Mr. **TAUKE**. You indicated 4,000 to 20,000 who you would classify as kidnaped children during the course of a year. Then perhaps there is another category, I am not sure how we should define it, but let's say kidnaped and missing for an extended period of time. How many children fall into that category?

Mr. **HOWELL**. I think you can look at two studies that have been done. The State of Missouri looked at all its cases. They looked at the cases and made a determination as to how long the children were missing, as far as long-term missing cases. What they found in that population in 1 year, 1984, was about 25 percent of the children remained missing for longer than 1 week, 10.5 percent of the population remained missing for longer than 30 days, and that I think is to my knowledge the best reasonable statewide summary that has been done on long-term missings.

Mr. **TAUKE**. Can we apply that nationally, and if we do, what does that mean in terms of numbers?

Mr. **HOWELL**. There is an answer, although it is a partial answer, that when we started to look at this in 1981 at the Federal level, it took in about 100,000 cases of missing children annually, last year 132,000. This year it will probably be over 400,000 cases of missing children into that system. That is a partial listing because only about 29 States mandate it be used. But it is jumping up not because of an epidemic but because of increased use.

If you looked at it last year and said of the 332,000 cases reported, how many were taken out the same year, removed as missing? It is about 9,000 less than that. There is a gap. It is about 321,000. It is a gap of about 9,000 cases that remained unaccounted for. It is difficult to look at it because that is a yearly analysis of something that is a fluid file. It gives you some idea of what the magnitude of the long-term missing is.

Mr. **MERKORT**. Can I comment on that? A lot of things have surprised me about this issue. I don't think anything has surprised me more than this preoccupation with numbers, and the only "only 67 or only 68 or only 69." These are Americans being held hostage by terrorists. When we lose an American in the Middle East or when our Embassy in Iran is closed down, we don't say it is only so many. These are little helpless citizens of this country being held hostage, scared to death, totally unable to take care of themselves, being held hostage by terrorists. What is it with the "only," sir? Isn't \$4 million a modest sum? How much has gone into the effort—

Mr. **TAUKE**. I think the problem we run into, however, if I can be so bold as to say so, is that we can all run up the cloak of indignation when the numbers issue is raised, and I will tell you, as the chairman did, one is too many. But the fact is that if you bombard the American people with information that they then find out to be false, suddenly there is a negative reaction against the support for the whole program, and what I believe the chairman and I both have felt very strongly is that it is important for us to be as accu-

rate as possible and remove as much as possible from any of the Federal programs any taint of misinformation that may have crept in somewhere along the way.

I don't ask the questions in a hostile way, no one is certainly threatening the funding, but I think it is important we get on the record what the statistics are.

Mr. MEREDITH. We understand that fully, sir, and we are as anxious as you are to get those numbers right. I hope the balance is coming back a little bit, though.

Mr. HOWELL. The issue on statistics was one more of definition than it was of raw numbers. I think you will be able to see general agreement about certain kinds of human behavior, crimes being committed and their incidence, but there has been a big misunderstanding about the nature of kidnaping. What is the nature of a missing child? Again our State statutes govern that. They say very clearly in 30 States now what that means. And it has common threads to it.

If we can look to that guidance, you would find a whole lot less problems I believe. That is one of the growing pains is to get people into effective statutorily based guidelines that tell you what a missing child is and that tell you what a kidnaped child is. Those guidelines are in place, we just got to start looking at them more.

Mr. TAUKE. Mr. Speirs, could you comment about the status of cooperative efforts between the Office of Juvenile Justice and Delinquency Prevention, the National Center, and the HHS Runaway and Homeless Youth Program?

Mr. SPEIRS. I would let Michelle Easton answer that, if you don't mind.

Ms. EASTON. We met with them at some point, it was quite a few months ago, to discuss for starters the coordination of the hotlines. They have a runaway hotline, and we have a national hotline at the National Center. We were interested in exploring the possibility of connecting them. You know, you call the wrong hotline, the operator pushes a button and sets you on the right hotline.

The HHS hotline was in somewhat of a state of flux. We were asked by them to wait, if we would. They recently put out a solicitation to have a new applicant come in and run that hotline, and that was just over the summer, I believe. So that is one area where we are working at coordination, and it is on hold somewhat.

We have also worked with HHS on their advisory committee—

Mr. TAUKE. Let's just stop right there on the hotline, if I may pursue that. Again, it is on hold, meaning that we still have two hotlines?

Ms. EASTON. That is right. They have a statutory responsibility to have one, as do we.

Mr. TAUKE. Is there a good reason to have two hotlines?

Mr. HOWELL. They provide different services. If it is OK, Carla Branch is here, who is a supervisor of our hotline, who is there every day. She can give you a brief summary of the differences between those two hotlines and how our referrals work there, if that would be all right.

Ms. BRANCH. Thank you very much.

There are several differences between the two hotlines. The national runaway switchboard, funded by HHS, primarily takes mes-

sages from children who have voluntarily left home or takes messages from the parents to leave for children. It is a switchboard. They do not take reports on missing children, nor do they, to my knowledge, take sightings of any kind of a missing child.

When we take calls on the hotlines from parents who are reporting their children they believe to have voluntarily left home, we refer them as well to the national runaway switchboard and say "If you would like to leave a message for your child, there is a chance the child will call there." A parent reporting a child as voluntarily having left home is referred to the national switchboard and to the other hotlines which exist, one which is run in Austin and the other run by Home Run in San Diego.

We also refer parents and children who have voluntarily left home and who do call the hotline to HHS-run shelters, should they call us rather than calling the HHS hotline. We will, if necessary, keep the child on the line and help to arrange this kind of transportation to a shelter or a system in getting transportation to return home.

We take calls of various other natures the HHS-funded hotline does not take as well, including requests for publications the Center provides, prevention and educational materials, how to protect your child from various types of being missing and molestation. The list, I believe, has been provided for the record of the publications the center provides. We take all sorts of calls on the line.

We took a call recently from a young child who was 5 years old and who had been locked out of a hotel room. She had been left there with her 7-year-old brother by her mother. She had been given drugs and alcohol while her mother and mother's boyfriend went to Ocean City. The child got out of the hotel, couldn't get back in, dialed the operator, and the operator put her through to the hotline. We could get a citizen standing near a phone to wait with the child until the Fairfax Police arrived and transported the children to foster care.

Mr. TAUKE. If you received a call more properly directed to the HHS runaway and homeless youth program, what do you do?

Ms. BRANCH. It always depends. They are always referred to the switchboard. Some of them are reluctant to make another phone call. We take the information they are requesting we take and get it to the proper law enforcement agency or the parent or the private nonprofit organization to which it should be appropriately channeled. If the person is willing to call the national runaway switchboard, they are given that number and encouraged to do so.

Mr. TAUKE. Now, you were indicating just a moment ago you are in negotiations with HHS on having a system, I take it, where if you had an indication a call was made to the wrong hotline, you could switch to the other one. Is that correct?

Ms. EASTON. Yes; theoretically a child with one quarter, could only make one call.

Mr. TAUKE. What is the problem?

Ms. EASTON. HHS recently brought in a new organization to operate their hotline. They were disappointed with the way the previous operators were answering the calls that came in. We weren't going to hook up with a hotline that was working out problems at the time.

Mr. TAUKE. They have a hotline it is still going.

Ms. EASTON. Yes, they do.

Mr. TAUKE. Is it functioning now?

Ms. EASTON. I believe they have selected another applicant to run it. And as it gets going, we will continue to meet with them and talk about it. It is one area of logical coordination.

Mr. TAUKE. It would seem that way. You were going to talk about other areas of coordination.

Ms. EASTON. The other area I would mention, for example, is HHS's NCAN, the National Center on Child Abuse and Neglect and its advisory board, we participated with them in that. I believe some of them have come to our missing children's advisory board meetings. We share our solicitations, our research proposals, with HHS regularly to avoid duplication, seeking their advice, their comments, seeing what they are doing. Those are some general areas of coordination.

Mr. TAUKE. Whichever one of you wishes to answer, why is the State clearinghouse money being passed through the National Center?

Mr. SPEIRS. I think, as I reviewed the program, that having the money through the National Center, was decided upon for a number of reasons, No. 1, looking at the coordination of the networking the State clearinghouses will have with the National Center, the Center is very familiar with the type of protocols for reporting, the type of networking to deal with transfer of information, and the quality of information. In looking at how the statistics and the collection needs to be uniform, the rationale was that the National Center could advise and be the lead in helping the States as they put their legislatively mandated centers up on line. The Center could contract with the States much faster than if the money came through our office.

So the Center is in a position for master coordination plus the expediency with which the money could be moved from the Center to the States was a very big plus.

Mr. TAUKE. Will the Institute for Nonprofit Organization Management make subgrants to private volunteer organizations?

Mr. SPEIRS. Yes.

Mr. TAUKE. What criteria will be used, do you know?

Mr. SPEIRS. IMPOM has been selected to pass through the dollars to the private nonprofits. Again, one of the reasons for that was the expediency with which they could pass that money through. I don't know all of the criteria. I could have Michelle answer, or if you want that in a written statement, I could provide that for you.

Mr. TAUKE. I would be happy to have it in a statement.

Ms. EASTON. They are going to be looking for two things. First to assist the organizations in developing administrative operational and fiscal capabilities, and, second, to help develop especially good programs to help not only the issue, but to make the programs available to other organizations working on the same issue. Those are the two areas of focus that IMPOM will be looking for in terms of funding.

In terms of the specifics of the applications, IMPOM's attitude, which reflects ours, is to be as inclusive as possible in soliciting and reviewing the applications. There is not intended to be any kind of

rigid criteria, but rather to select the groups that are doing the work, that are doing good work. We'll try to enhance their capabilities by a small amount of assistance.

Mr. TAUKE. One of the witnesses suggests you have never published an annual report for 1985.

Ms. EASTON. An annual report?

Mr. TAUKE. That you haven't published an annual report for 1985.

Ms. EASTON. I believe we have a legislative mandate for two reports, both of which have been published.

Mr. TAUKE. I think it was released in December 1985.

A question for you, Mr. Howell, I guess. Could you tell us who has decisionmaking authority at the National Center?

Mr. HOWELL. The Center itself is administered by a Board of directors that has the ultimate authority over the policy and administration of the Center and that has been regularly exercised over the last 2 years by that group, made up of many different disciplines, many different areas of expertise.

Mr. TAUKE. So the Board has primary decisionmaking authority and they pass it to you, some to you, to run the day-to-day operations?

Mr. HOWELL. That is exactly right, as is typical of most organizations like that. They take a very active role, though, because so many people, like Mr. Callaway here, are directly involved in what is going on, Howard Davidson of the American Bar Association, people like that that are right here in town; Bud Lawrence of the American Gas Association is here; those people are all on our board and work so often with us that that influence is rather regularly applied.

Mr. TAUKE. I don't know exactly how to phrase this question, but how many active cases, currently active cases, do you have?

Mr. HOWELL. The Center, since its inception, has given technical assistance in about 10,000 cases of children who are missing in some way or children who have been the victims of exploitation. The cases, the totals that come through in an individual quarter will give you some idea of that. In a given quarter, for instance, the last time you were looking at about 1,600, 1,700 cases of the different types of missing children which came in, about 65 cases of sexual exploitation of children that came in in a 3-month period.

Mr. TAUKE. Now, do you have a backlog of cases, or do you feel that you are up to date?

Mr. HOWELL. There is a backlog because many of the cases remain worked for an extended period of time in technical assistance. Some, I think, feel in looking at that that the goal of the National Center was to be able to provide case work assistance in all cases, and, of course, we can't. There is too much out there. But we do give assistance to the cases that come to us; we give assistance to the law enforcement or social services people who are working, the families, private voluntary organizations, public agencies, and many others.

Mr. TAUKE. Are you overwhelmed?

Mr. HOWELL. We were overwhelmed by the calls. At one time we were receiving over 1,000 calls a day for several months, and we

were overwhelmed. It can't be handled as a caseload function at the Federal level.

Mr. TAUBE. So you refer to the State level.

Mr. HOWELL. We sure do.

Mr. TAUBE. In my office, we have this mail report, and each week we have to check catching up, falling behind or holding your own. Are you catching up, falling behind or holding your own?

Mr. HOWELL. Catching up.

Mr. TAUBE. Thank you, Mr. Chairman.

Mr. KILDER. I think I will inaugurate that in my office. It sounds like a good idea. All analogies limp, but let me use an analogy, if I may. I look upon the national center, and perhaps other Federal agencies, like the Office of Civil Defense, and I look upon the private voluntary organizations like the Red Cross. When we have a tornado in Michigan, we generally find the Office of Civil Defense very deeply involved, doing a very good job. We also find the Red Cross very deeply involved and doing a very good job. There is generally good cooperation between the Civil Defense Office and the Red Cross.

And in our bill we, of course, require that the national resource center and clearinghouse coordinate public and private programs to provide services to these children, and also for the Center to provide technical assistance to private voluntary organizations.

How is that working out? Describe the National Center's efforts to meet those requirements.

Mr. HOWELL. There are several parts of that. One concerns the referrals that take place over the hotline. Almost all the cases we get, the people who call are referred to appropriate private voluntary organizations. Sometimes people call us and want to give us money, and we refer; I think we have over 50 cases where we have referred those people to private voluntary organizations to give them funding in their area. We have provided technical assistance in a wide variety of formats.

To give you an example not often considered, we have been working with private voluntary organizations in seven States whose children have been victimized in sexual exploitation institutional cases. We try to provide training and information to them on how to become effective advocates and get together. The situation now is that in all of those, we say we trained over 14,000 social services and law enforcement personnel in how to handle crimes against children and interview techniques and looking for child sex rings. Private voluntary organizations all over the country have participated in those efforts with us. It is a very broad-based relationship.

I think what is often misunderstood is the number of individual agencies involved. When you talk about the sexual exploitation of children and missing children, you are talking about private voluntary organizations or nonprofit organizations that number in the thousands nationwide. If someone will call us up, as they did recently, and said, "Listen, we want to do a fundraiser." We said, "Give the money to the Children's Crisis Center in your town and the runaway shelters, we will be glad to participate with you."

But I think many people would look at this issue and say that is a children's crisis center. That is the center in that town, the nonprofit organization that treats kids sexually abused. It goes into

schools to educate children, and those kinds of involvements are very critical.

Technical assistance, handling parental kidnaping cases, we provide information on what to do, we provide information in the publications we put out and hands-on technical assistance in actual cases. It runs a wide gamut, and I think, if anything, we have learned, Mr. Chairman, there is a lot of people out there who need certain different kinds of liaison.

Mr. CALLAWAY. Let me respond to the question by reading a couple passages from letters from people in the field. The executive director of the child care, the Society for Young Victims:

The professionalism that exudes from the center has reigned supreme throughout inception and now during the center's tenure. It is with utmost importance the National Center for Missing and Exploited Children continue with their necessary functions in order to achieve the goals toward the freedom of America's missing children and to constantly be available to organizations in offering the center's expertise in all areas to keep better informed the Nation's missing children organizations.

From Child Help USA:

My staff responds to how we network with other agencies across the country, and your agency always is at the top of the list.

From the DA's office in California:

I find your publications useful rather than mere publicity.

From the National Victim Advocacy Center:

Our center recognizes the importance of networking with victims' rights organizations at the national level in order to improve our efforts to serve local groups. We have found a friend and an ally in the national center. You should be extremely proud of your organization's contributions to America's victims' rights movements.

And, finally, from Michigan:

We have especially found the series of publications for investigators to be useful and timely. Your ability to provide this type of technical resource on such a large scale has increased our effectiveness in keeping our field investigators better informed on the issues of missing and exploited children.

That is from the Department of State Police in Michigan.

Mr. KILDER. Thank you very much.

By the way, I do remember our battle on the valid court order and your work with me. We lost that one, but we will battle together again on many issues affecting children. I guess the reason I asked the question about working with the PVO's is whatever the size of the problem, there is enough work for both government and the private voluntary organizations. The amount of work is enormous. So whatever the amount, whatever the numbers may be, I think we want to encourage people and the government and private sectors, to complement rather than just compete.

It really can complement one another very, very well, and I do think maybe the analogy of the Office of Civil Defense and Red Cross may be an appropriate one. They tend to have a great history of working well together and respecting one another and recognizing that both are needed. So perhaps with that in mind, you can work with those groups.

Mr. MERRITT. It is a very high priority. We share your concern. We are going to do better and better and work at it harder and harder.

Mr. KILDEE. I appreciate that.

One last question, and I will be submitting, without objection, some written questions for inclusion in the record before we complete the printing of that record.

Mr. KILDEE. The National Center states that they have been of assistance in the recovery of more than 5,000 children. So we can have meaningful figures, what does that term "of assistance" mean? What would that include? Perhaps, Jay, you could help us on that.

Mr. HOWELL. We have addressed that in our written testimony, exactly what it means. It runs a wide gamut of examples. When we get contacts at the Center, it can range from information provided in a step-by-step manual to a family or agency involved in a particular case. It can also involve long-term advice, counsel, and assistance in what to do.

We try to be very careful in how that is articulated, because all we do is provide services like that 800 line, like our publications, like our technical assistance and advice that allow other people to actually recover children, law enforcement agencies and public and private organizations that are involved in this.

The services that we provide, though, we do keep track of what has happened. That is, when a case is reported to us and that case is resolved, it may be something like one case where we counseled a family on how to put out something as simple as a good poster for their child. The child saw the poster in another State and came home. Sometimes it runs all the way up the line to long-term technical assistance and assistance of a case that is very difficult.

I think the point to be made is that the advice and counsel that is there is not responsible for the recovery of a child. Of assistance is what that means. That is, it has been provided in a case where a child was returned. And I don't think anybody would be telling the subcommittee that means that we have recovered children or that we can take primary credit in every case for that. We cannot.

Mr. KILDEE. And again, I am embarrassed as to the amount of money we assign for this very very important issue. The degree to which you can break that down for us, would be helpful in our capacity as advocates within the Congress as we go before the Appropriations Committee.

I want to show how the money you received was used to reach out and touch a child someplace directly, but also on this Hill, knowledge is power. There is no question about that. So the more precise knowledge we have, the more powerful we can be as advocates.

Do you have any further questions?

Mr. TAUKE. Just one question, following up on the money issue.

Mr. Speirs, one of the comments that has been heard is that the National Center receives too big a chunk out of the moneys that are appropriated and that the hotline receives too big a chunk of those funds. Do you have any observations that you would care to share about the apportionment of dollars?

Mr. SPEIRS. I cannot respond to the budgetary breakdown within the Center, and maybe staff there could talk about that allocated to the hotline. What I can tell you is for fiscal year 1986, \$1.8 million was the grant to the Center. There was a supplemental also

paid in fiscal year 1986, about \$1.163. So those two pieces of money were the grant, two grants, the supplemental and the 1986 grant to the Center.

How that is broken down for the hotline the Center would need to address.

Mr. **TAUKE**. Let me ask you then, again, do you think that too much of the money is going to the Center—maybe put it another way: Why should that much money go to the Center rather than to other resources?

Mr. **SPIES**. I would like to take this tack with you in looking at the budget, and the time I have had to look at the budget, the activities, not only with the resource Center but the other activities that have been programmed, looking at the dollars that have gone to the Center, looking at the money they have generated from private sources, looking at the number of calls, the almost 1 million brochures, looking at the staffing, looking at the volunteers—I think they have a cadre of over 100 volunteers that come into that organization—looking at the expansion of our dollars. At this point in time I would have to say that we have a very good investment in that Center for the return on the dollars spent.

Mr. **TAUKE**. That may also be something you would want to elaborate on in any written comments that you would submit after this hearing.

Mr. **Howell**, do you wish to comment on the hotline?

Mr. **HOWELL**. About half of the—

Mr. **TAUKE**. And do you think that is an appropriate priority that you are setting, giving half the money to the hotline?

Mr. **HOWELL**. We originally budgeted for about 1,000 calls a month, then we learned we were getting 10,000 calls a month in some cases. If we are going to meet the need, that was simply a creature of demand and will always remain that. We expand it in its hours and its ability to take incoming calls if necessary. And we decrease it. We have seen both phenomenon. It is a question of literally supplying demand for information assistance that is still coming in at about the rate of 300 calls a day today.

Mr. **TAUKE**. Let me just express to you my appreciation for your work and for your commitment to this very important cause.

Mr. **CALLAWAY**. Mr. Chairman, before we close, could I respond to one thing Mr. Tauke had said about the numbers?

You did mention the figure of 2 million. The National Center, to my knowledge, has never ever used a figure of 2 million on anything. There is a 1.5 million figure that comes from the Department of Health and Human Services on runaways and homeless youth. Quite honestly, we would like to be able to control some of the people who use some of those wild figures because it has caused us a problem.

Mr. **MEREDITH**. I would like to express our appreciation, our gratitude. We feel very sincerely fortunate in having you and Mr. Tauke in leadership of the oversight committee. I think this cause is well served admirably. Your outstanding staff, we commend you, we thank you, and I think those concerned with that cause would join us in an expression of that gratitude. We are glad you are there.

Mr. KILDER. We look forward to working with you. We are working to serve children, and it is important that we have this openness and cooperation between the two branches of Government and look forward to doing this on a regular basis.

I thank all the panelists for your testimony this morning.

Mr. SPEIRS. Thank you for the opportunity to be here. Our office is open to you for information that you need. We will make sure that you get it.

Mr. KILDER. Our next panel consists of Mr. Steve Clark, president of the National Association of Attorneys General, Little Rock, AR; Ms. Nikolette Thoman, executive director, Services for the Missing, Gibbsboro, NJ; Mr. Gaylord Walker, executive secretary of the National Association of Missing Children Organizations, Jackson, MI; Ms. Ann D. Collins, copresident, the American Missing Children's Foundation, San Francisco, CA; Mr. Doak Bloss, Missing Children Program coordinator, Michigan Network of Runaway and Youth Services.

I would like to announce on the next panel we will have Mr. Jeremy Margolis of the State of Illinois as part of that panel.

I will take you in the order in which I announced your names.

Again, if you could summarize your testimony, your entire written testimony will be included in the record.

STATEMENTS OF STEVE CLARK, PRESIDENT, NATIONAL ASSOCIATION OF ATTORNEYS GENERAL, LITTLE ROCK, AR; NIKOLETTE THOMAN, EXECUTIVE DIRECTOR, SERVICES FOR THE MISSING, GIBBSBORO, NJ; GAYLORD WALKER, EXECUTIVE SECRETARY, NATIONAL ASSOCIATION OF MISSING CHILDREN ORGANIZATIONS, JACKSON, MI; ANN D. COLLINS, COPRESIDENT, AMERICAN MISSING CHILDREN'S FOUNDATION, SAN FRANCISCO, CA; DOAK BLOSS, MISSING CHILDREN PROGRAM COORDINATOR, MICHIGAN NETWORK OF RUNAWAY AND YOUTH SERVICES, LANSING, MI

Mr. CLARK. Mr. Chairman, I am Steve Clark, the Arkansas attorney general. I am pleased to be here. I have heard some discussion that has gone on before, although taking a wrong train kept me from being here on time. Not lots of trains run in Arkansas, but more run around here than I discovered I could comprehend, I suppose.

I am not sure what the fuss is about all the numbers, frankly. I got involved in this missing children's issue because of a mother who came to me whose child was missing. When she came, she said to me, "I am out of money, I am really out of hope, and maybe I am out of luck."

It was the first time anyone had visited upon me the fact what it meant to have a missing child. I have heard all the discussions about the numbers, anywhere from 1 million to 2 to 15 million, but I think the point is this, these children are indeed missing.

I go back to the law, that is my training. I am a lawyer. I go back to the statutes and look at the definitions of what the States have said are missing people, and those are youngsters under the age of 18 who are not where they are supposed to be. Simply stated, they are not with the people who have the legal responsibil-

ity for their care and custody. To me, that simply means they are in trouble, and certainly at risk.

I also happen to think that just one missing child is too many, as I know this committee feels.

My comments are those in support of the National Center, because of my experience in working with that Center. When this mother came to me in January, or actually November 1984, the State of Arkansas had no missing services program at all. We had no program for missing children, services neither in education nor in training or actual assistance to a family. This mother, Verletta Martin, touched my heart when she talked about Jackie. We found Jackie was not abducted, Jackie ran away. But Jackie didn't know how to get back here. While Jackie was in search of getting back home, Verletta Martin, my office and with the help of the National Center, began a program in the State of Arkansas of which we are quite proud.

Because of that program, two other children, Brandy and Misty Perry, are with their mother today in Topeka, KS. They would not have been there but for that program and but for the National Center.

It is my opinion that if you raise an issue and fly the flag, if you will, Mr. Chairman, then you have a responsibility to support it with services and with understanding and with a foundation. We raised this issue in Arkansas. In January 1985, if you looked in the NCIC, there were 17 children listed as missing under the age of 18. Today there are 96. That is not that we have had that many children run away or disappear or be missing from their parents or loved ones, it is just that we raised the issue. When we decided to raise the issue, we knew we needed some help.

The National Center was a place that I went asking for training. Over 100 law enforcement officers in the State of Arkansas have been trained through the assistance of the National Center, made better aware, become more skilled investigators, and more willing to participate in the issue that is a national problem with the community solutions.

Further, however, that National Center gave me some insight as to educational programs in which we could be involved and how we could coordinate with private voluntary organizations successfully. Because, as you said, Mr. Chairman, this is a combination of working hand in hand. It is a combination of taking private voluntary organizations who want to do something to help in this area and coordinating those efforts.

Our effort is not big, it is rather modest in Arkansas, two people, and that is it, and a commitment to do right. We found that the National Center was just almost invaluable in helping us understand the mistakes others had made, directing us on a course that would allow us to have the high degree of professionalism we desired but also the opportunity for great success.

You asked a minute ago about that hotline. Brandy and Misty Perry would not be home but for that hot line. Brandy and Misty Perry were not found by myself or my staff. They were found by a sixth grader. They happened to be in a school where she sold milk at lunch. She recognized one of the children's pictures from a flier

that fell out of a magazine at home on the weekend. She took it to her teacher, and they called the National Center.

In spite of everything I could do to sensitize the people in my State, they didn't know enough to call the attorney general, but they knew if you called this 800 number, someone would respond. Because of that call, other calls were made in coordination with my office, and we returned those children to their rightful mother.

One of the things I think which is the benefit of the National Center is it keeps us from reinventing the wheel. The attorneys general of this United States are not all that involved in missing children. Many of us are. As we became involved, particularly those who have not done this in their previous service in public office, we find that we share one with the other, but most importantly we can share through the National Center, and that has been very very productive and extremely helpful.

One other comment I would make, Mr. Chairman, deals with the fact that, as you raise the level of attention that deals with children and the issues surrounding children, particularly those who are missing, you raise the level of awareness that provides and produces the opportunity for fraud. I am pretty tough talking in Arkansas. What I tell them is that I don't like people who make money at the expense of children. If you are in it for a profit, I don't think too highly of you, although it is not illegal.

I think those services ought to be provided for free, and they are in most instances. Those people who misrepresent the facts about what they are going to do to help children I called dirt bags. I make no apologies for that, Mr. Chairman. It is not a term of endearment, it is a term to be descriptive and to be accurate about how I feel about people who misrepresent what they will do for children. I have seen some of that in my State.

I filed two lawsuits against two organizations, one called Missing Children USA, one called National Calendar Co. Each said they were not for profit, and each said their goal was to help children, and each whose goal was to make a buck. They no longer operate in Arkansas. They paid a \$10,000 civil penalty, and they better not come back.

I think for all of us who raised the issue and the awareness of the concern for children, we have a legal, as well as a moral, responsibility to assure those who are involved as private voluntary organizations do so factually, honestly and fairly. It is the attorneys general who most often police this area of the law, because it deals with solicitations and charitable contributions.

Finally, Mr. Chairman, I would say this, I thought about how I would like to direct my thoughts to this committee this morning. I had an uncle who was president pro tempore of the Arkansas Senate and he died back in the spring. And I was asked to deliver a eulogy at his funeral service. I had never done that before. In fact, I went to the dictionary to look up the word "eulogy" to make certain I would do what was required, and it is a statement of praise.

On my mother's side of my family, Mr. Chairman, men who are extraordinary, who are different than all other men on that side of the family are called papas. It simply means a person who can make it better, a person who can make it right, someone you go to who will help you to help yourselves. If I had to describe the Na-

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tional Center, what I think they do in America today, I would call them a papa. They help make it better, they help make it right. They help people like me who want to work in my State find a way to do it. They show us a way to participate. I think it is an invaluable organization, one which this country cannot do without.

I don't always agree with Jay Howell. I think he sometimes is pretty stubborn, and I kind of like John Rabun because he has a good quick sense of humor. They don't always do the things I think they ought to do. When I call, they sometimes rain on my parade. But all that being said, this organization is a papa. It does some real good.

Thank you, Mr. Chairman.

Mr. KILDEE. Thank you very much, Mr. Clark.

[Prepared statement of Steve Clark follows:]

PREPARED STATEMENT OF STEVE CLARK, ATTORNEY GENERAL, STATE OF ARKANSAS
AND PRESIDENT, NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

Mr. Chairman, and Members of the Subcommittee on Human Resources, I am honored to appear here today. As Attorney General of the State of Arkansas and President of the National Association of Attorneys General, I am fully aware of the problems of child exploitation and missing children. I am also fully committed to finding solutions to these problems.

January, 1985, the State of Arkansas and the Office of the Attorney General in particular, entered into the arena of the missing children issue. The plight of a constituent, Mrs. Verletta Martin of Dennard, Arkansas, first brought the tragic realities of this issue to our attention.

In August, 1984, Verletta Martin called my office requesting an appointment with me to visit about her 16 year old daughter, Jackie, who at that time had been missing for over six months. Mrs. Martin explained that Jackie disappeared while the Martins were residing in Midland, Texas. Mr. Martin, a carpenter, had found temporary employment in the area and the family had moved to Texas to join him.

January 24, 1984, Jackie did not come home from school. Jackie had left her savings account untouched and all of her possessions undisturbed. The Martins doubted that Jackie had run away. They reported Jackie missing to the local police force. The police discouraged the Martins from seeking outside assistance on the investigation. They said it would interfere with their investigation of the case.

The weeks turned into months and the Martins returned to Arkansas. Mrs. Martin explained that the thought crossed her mind that Jackie was dead but she didn't want to believe it. Mrs. Martin kept Jackie's bedroom in the Martin's Dennard home exactly the way it was before her disappearance. Her clothes, her Walkman, her Teddy bear, all waited for her return. Mrs. Martin explained to us that when you lose someone to death you dispose of their things, or pack them away. She couldn't give Jackie's things away.

The Martins bought a telephone answering machine to capture any word from Jackie, in case she had run away, in case she could, or would call home. The machine contained an emotional message to Jackie from her mother.

The Martins also eventually contacted nearly 70 national child search organizations, and printed reward posters, complete with a photograph, a description of Jackie, and a Biblical reference - the sixth verse of the 43rd chapter of Isaiah. The verse is "I will say to the north, Give up; and to the south, Keep not back; bring my sons from far, and my daughters from the ends of the earth . . ."

Because the National Center for Missing and Exploited Children was not fully operational, they had to print their home telephone number on the posters. This exposed them to prank callers and unscrupulous organizations who hoped to profit from their fears and their never ending quest to locate their daughter.

December 2, 1984, ten months and one week after her disappearance Jackie Martin was found. It wasn't the police that found Jackie. Jackie was located from a photograph in an ad placed in a national magazine by a private organization.

Jackie Martin is at home with her family today because of the strength and fortitude of her family. Not all missing children stories have ended on such a positive note. Now, however, as a direct outgrowth of the Missing Children Assistance Act and the subsequent creation of the National Center for Missing and Exploited Children, parents of missing children can look toward a future with greater hope than they could at the time of Jackie's disappearance, a mere two years ago. No longer are parents such as the Martins searching alone and without guidance and support. The chances that a parent may find his or her missing child have improved greatly due to the existence of the National Center for Missing and Exploited Children. No longer does information sharing and investigation have to stop at state borders.

Just as we in Arkansas began searching for solutions to the problems of child exploitation and missing children, the focus of the National Center for Missing and Exploited Children was beginning to take shape. We have looked to the National Center for leadership as we have created our state program. Rather than to recreate or attempt to duplicate the excellent quality of activities undertaken by the National Center for Missing and Exploited Children, our Missing Children Services Program has adopted the Center's professional materials as well as utilized their trainers, particularly in the technical area of law enforcement. We believe this to be a national problem with a community solution, yet there is no need to re-invent the wheel in 50 states. Uniform procedures and definitions for effectiveness in communication have been instrumental in understanding the problem. Something as fundamental as defining "missing child" was a necessary first step for government in addressing the needs of our youth. Now, both in fact and in state law, in discussing the issue of missing children we know we are identifying those who are runaways, throwaways or abandoned, accident victims, parental abductions and abductions by nonfamily or unknown persons.

The National Center for Missing and Exploited Children and the Office of Juvenile Justice and Delinquency Prevention have assisted in the training of over one hundred law enforcement officers in Arkansas during the past year. They have also provided training for juvenile judges and juvenile officers, as well as for social services workers throughout the entire state.

In the past year the number of children in Arkansas listed as missing on the NCIC computer has increased from 36 in July of 1985 to 97 July 1, 1986. This increase in reporting can be attributed to the training of both private citizens and the law enforcement community. Rather than an actual increase in the number of missing children, it signifies a change in attitude on the part of law enforcement and a willingness to deal effectively with missing children cases.

Additionally, the educational services and public awareness programs provided by the National Center for Missing and Exploited Children have enabled state and local governments to monitor the activities of those who would prey on the fears of parents in order to make money in the name of missing children. This is an area which is ripe for fraud and deceit by both profit and not-for-profit groups.

My office has no objections to legitimate businesses which profit from the provision of valuable services and goods as long as the public is in no way deceived regarding the value or purpose of their products. In the past two years, however, the Consumer Protection Division of my office has entered into Consent Decrees with two companies, National Calendar and Missing Children USA, for a full refund of money unlawfully obtained from Arkansans who gave with the sincerest desire to help the families of missing children. My office now employs the network of state clearinghouses, which is an outgrowth of the passage of the Missing Children's Assistance Act, to notify others of the existence of such companies and they do likewise under similar circumstances.

Those of us in government and private business both, have a moral obligation not to exploit child safety issues. When one raises the public conscience it is imperative to provide a blueprint or plan of action designed to create positive change. To raise the public awareness to this issue, and then walk away would be destructive and irresponsible. It would certainly not be in the best interest of our young.

The National Center for Missing and Exploited Children and Arkansas' Missing Children Services Program will continue to maintain their high standards in the areas of child safety and assistance to families. This positive partnership which has developed between the states and the National Center for Missing and Exploited Children must continue in order to assure effective child safety education and legislation. This partnership has resulted in significant accomplishments in the most cost effective manner both in terms of manpower and actual dollars spent and we, therefore, plan to maintain it and foster its continued growth.

Mr. KILDER. Ms. Thoman.

Ms. THOMAN. I am Nikolette Thoman, founder and director of Services for the Missing, Inc., a private, not for profit New Jersey based corporation. Given that I am a newcomer to this type of hearing, I will give you a little of my personal background. Prior to founding this agency in 1983, I worked as an advocate on behalf of disenfranchised populations at a Camden based social service agency. I hold an associate's degree in Early Childhood Education and Child Development.

In 1983, I was elected to the International Association of Outstanding Young Achievers and was a member of the National Honor Society. I have been recognized for my efforts in the introduction of several bills in the New Jersey State Legislature regarding awareness of the plight of missing children and adults and the upgrading of penalties for parental abduction. I am a registered lobbyist in the State of New Jersey and a member of the American Public Welfare Association and the National Council for Children's Rights.

Services for the Missing, Inc. provides aid to families with a missing family member, regardless of the age of the missing individual. We also provide nonthreatening educational programs to parent groups, businesses, and social service agencies, as well as school assemblies. Our services to families are offered free of charge. We have provided direct services to 5,000 people and through programs like the Donahue Show have provided valid information to millions. We have been involved in the location of more than 200 children, youth and adults.

We accomplished this level of services on less than \$15,000 in the 3 years since our inception. In these 3 years, my family has made financial sacrifices to allow us to continue our work on behalf of the missing. For much of the 3 years I have worked for this agency I have received absolutely no salary. I say this not to earn your sympathy, but to illustrate the financial burden that most private agencies suffer. This financial picture is still true of all but a few private agencies in our country. Almost all of us go without pay, our families go without some creature comforts, but we continue to trust that the Missing Children's Assistance Act will some day work for us too.

That trust was one of the reasons I requested this hearing of the chairman in February. I had learned enough about the field serving the missing to chafe at the waste and inefficiency of the implementation of the Missing Children's Assistant Act to date, but there was another much more important reason. I had been asked to make a noise in Washington, a loud noise, about the pain and suffering of parents whose children are missing—parents who, for the most part, are completely ignored. This group of parents include those of parentally abducted children who are falling through the cracks of the present implementation of the act and parents of young adults who are told to disguise the true circumstances of their children's disappearance or to lie about their ages, as if the truth of their case were something to be ashamed of.

These parents know better than any the sad fact that their missing children are seen as less important than the more publicized "stranger abducted" child. A father whose abused and neglected

children were recovered after a harrowing 7-month parental abduction related disappearance said to me recently, "You have to tell the public that parental abduction can happen to anyone, tell them that if it can happen to them, their kids are second-class citizens in the world of missing children." When I shared this sentiment with the parent of a missing young adult, she added, "If the child is older than 17, he or she has no place in that world at all." Countless parents have echoed these statements, and all of them have said, "Tell them, Nikki, because our kids and our families are suffering, and no one is listening yet."

That is what I am here for, to tell you this: The emotions of only a few individuals set the course for this issue's growth, or lack of growth, by presenting "guesstimates" as testimony before the legislature in the early 1980's. In the report of the Committee on the Judiciary of the Senate in 1984 regarding the Missing Children's Assistance Act, it stated that, "20,000 to 50,000 [children] disappear each year and their cases remain unsolved, some forever, while about 100,000 are feloniously abducted in violation of custody orders. Each year at least 3,000 individuals are buried unidentified; hundreds of these are children." Most of the publicized testimony which led to these types of conclusions was given by individuals who were victims, not statisticians, not social workers and certainly not research experts.

The actual facts are plain and well documented. I know we heard a piece of a tape from an FBI official. I have read and heard and talked to FBI officials. I have been told there are less than 200 active cases on the roster, not 68 or 69, but less than 200. This number is an accumulation, not a yearly number. According to National Crime Information Center, there are 3,000 individuals who are buried unidentified in our country. However, about 10 percent of those are minors, that is hundreds.

Although information released to the public and the media by the National Center differs greatly, it is most interesting to note that the Center's own internal numbers reflect statistics amazingly close to those released by authorities. I refer to the Center's most recently available Quarterly Report Summary, dated April 1, 1986, which states: "Technical assistance was provided in only 325 actual cases of 'abduction by unknown individuals' between October 19, 1984 and March 31, 1986."

My goal today is to impress upon you the true impact of the implementation of the Missing Children's Assistance Act upon the individuals, agencies and children it was designed to aid. We don't serve a cause in this field anymore; we serve an effect. We cannot continue to allow this field and the public's opinion to be guided by the emotionalism of one or two individuals, no matter how sad or shocking their story or how charismatic their presentation. Being a victim does not give me or anyone the right to mislead the media and the public. There are not 50,000 cases of unsolved child disappearance in our country a year. Twenty thousand children are not stolen by strangers in our country every year, and contrary to published opinion, our country is not littered with the broken mutilated body of stranger-abducted children. There has been a great deal of injustice perpetrated in this issue: on the taxpayers, on law enforcement, on service providers, on families of the missing, but the

biggest injustice of all has been done to our children. It is time for the private victims in this issue to be represented to our legislators, to the public and to the press.

The sensationalism of the issue of missing children is old news. Public awareness has become public hysteria. Yes, there is a problem. Unfortunately, the crux of the problem is that we have ignored the real needs in the issue in favor of emotional tyranny. The time has come for the tyranny and the misrepresentation to stop. It is time now to turn the page, to direct our attention to the realities of the issue of missing persons.

In most instances, the goals of the Missing Children's Assistance Act of 1984 have not been fulfilled. To a grave degree, the deeply seated needs of families in crisis are being overlooked. The service providers are stretching already thin resources to meet a greater local service need. Legislators are confused about which laws make sense in their States. Parents of safe children don't know what to believe. Many of our children are convinced that their world is no longer a safe place to live in. We believe that the intent of Congress in the passage of the Missing Children's Assistance Act was to provide adequate aid and services to all of their constituents, including parents and service providers. We know that if this intent is to become a reality, many changes in the path we are on must be made and made expediently.

Our written testimony outlines 15 recommendations for changes in the implementation of the act. Among others, they include the development of a valid referral file by the OJJDP for use by the National Center in referring to private voluntary organizations; development of after-care programs for reuniting families; development of stronger Federal and international parental abduction laws; the changing of the responsibility for "stranger abduction" intakes to the Federal Bureau of Investigation; the removal of photograph projects from public display; a provision for aid to families of missing young adults; the creation of a new field within the National Crime Information Center to be utilized for the input of young adult disappearances in order to effect a cross reference for the approximately 2,700 unidentified bodies of adults between the ages of 18 and 26; and the opening of the Endowment Fund for the Protection of Children to competitive bid process.

We have also included a lengthy recommendation regarding the services presently provided by the National Center for Missing and Exploited Children. The Center was to have been a clearinghouse of information for use by various public and private sources. It has become an inefficient duplication of already existing services. In order for the mandate of the Missing Children's Assistance Act to be met, in order to create the national clearinghouse that the act called for, the center's services must be reevaluated and reprioritized.

The Center should provide informational services and technical assistance services, along with coordination of existing services. Presently the Center is duplicating the services of many long-standing agencies in the field and has served to dilute aid to families in many realms. Funds have been spent unwisely, salaries previously unheard of in this field are being paid to their staff. We agree strongly with Byron Donzis, a member of the Missing Chil-

dren Review Board, that the Center has evolved into a bureaucracy and is supplanting nonprofit groups and charities.

If the field serving the missing is to survive, if parents are ever going to have their needs met, if children are to be consistently found and successfully reunited with their families, then we must move to change the course we are on. I speak for the private victims of this issue when I say we are counting on our elected officials to ensure this change of direction so that families of the missing and the safe will be best served.

Thank you.

[Prepared statement of Nikolette Thoman follows:]

**PREPARED STATEMENT OF NIROLETTS THOMAN, EXECUTIVE DIRECTOR, SERVICES FOR
THE MISSING, INC., GIBBSBORO, NJ**

Services for the Missing, Inc. (formerly Hide and Seek, Inc. EC) was founded in March of 1983 and incorporated as a New Jersey based non-profit in January of 1984. The founder of the agency was the victim of a parental abduction as a small child; her reunion with her father after almost twenty years sparked the creation of the agency. In addition to that experience, the founder was the non-custodial parent of a small child who was also the victim of a parental abduction. Thoman's educational background in Early Childhood Education and Child Development combined with extensive experience in advocacy and dealing with the Family Court system impacted greatly on the creation of policies and programs for the agency.

Services for the Missing, Inc. provides services to families with a missing family member, regardless of the age of the missing person. Services include search and system guidance; support and referral services; printed information; selective photograph dissemination and one to one advocacy. To the general public, the agency offers non-threatening education programs via issue and precaution seminars; information and referral and legislative activism. Services to families and organizations are free; there is a nominal charge for the Seminar program.

In 1983 and the first part of 1984 the agency maintained its operations through the generosity of the founder's family and dedicated volunteers. In 1984 and 1985 Services for the Missing received Camden County grants to fund its County wide operations and its national services were funded by private donations. The Board of Directors chose not to re-apply for government funds in 1986 due to OMB Circular A-122, which limits the use of government funds in a non-profit's communication with legislators. The agency has received funding from the Dayton Foundation Missing Children's Fund, Walt Disney Home Video and Southland Corporation, in addition to private donations. In total, Services for the Missing, Inc. has provided its services since its inception with an operating budget of less than \$10,000.00 per year.

The agency is staffed by a para-professional director and has a volunteer staff of eight. The agency provided services to 4,335 persons (by unduplicated count) through December 31, 1985. Services for the Missing, Inc. worked on approximately 300 cases involving a missing child, youth or adult in 1985 and more than 100 of these cases were closed due to the location and/or recovery of the missing person. In most cases, the missing person came home voluntarily or was located through the combined efforts of several agencies and individuals. In 1985, Services was the primary catalyst for the location and/or recovery of 19 children, youth and adults.

The director of Services for the Missing, Inc. requested this Hearing in February to review the implementation of the Missing Children's Assistance Act. It is felt that Congress passed this Act with the intention of better serving their constituencies, both parents and service providers. The objective of this testimony will be to share with you the effect of the Act from the viewpoint of a service provider and of parents we have served. We will briefly describe the field as it was prior to the inception of media attention; the anticipation and hope among parents and service providers just prior to the implementation of the Missing Children's Assistance Act and the impact the Act has had on the public, on parents, on children and on service providers. In closing, we will offer some

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recommendations for re-evaluating the present course of the Act to better serve these target populations.

When the media first began to champion the cause of missing children, the statistics used were "guesstimates" of 50,000 stranger abductions and thousands of unidentified dead youngsters. Parental abductions were also gaining some limited attention and estimates for this type of abduction were cited as high as 750,000 cases per year. These widely publicized figures were provided largely by Child Find, a New York based organization and John Wajsb, on behalf of the Adam Walsh Child Resource Center.

With the airing and retelling of TV docudramas such as "Adam" and other missing related programs the public began to hear again and again how "at risk" their children were of stranger abduction. Fingerprinting campaigns were developed, offered many times by individuals who were not trained for this professional job. Groups entered the lives of our young children during their school day and told them of "bad strangers" who would take them and hurt them if they did not learn the secret to staying safe. Photographs of missing children, once only seen intermittently, were turning up in every day places. One group claimed that a child disappeared every seven minutes in America at the hands of "malevolent strangers" and the proverbial trench coat flapping pervert became the man of the hour.

We began to see magazine and news articles describing the growing phenomenon of the "disappearing child" that reflected very poignantly the effect of the issue on children. In the Miami Herald, on May 3, 1983, nine year old Elizabeth Santiago said, "A stranger might come if my friends don't see me and he might kidnap me. I think about it all the time when I'm outside." Ten year old Marsha Gabriel said, "I sleep by the window and I'm always afraid." In the same article, entitled "Children Infected By Fear", mental health experts expressed their concern: "...erasing and children's acute awareness of it are doing much to erode the stability youngsters need to become healthy adults." Dr. Benjamin Spock, one of the leading child psychologists of this or any other era, was quoted in Redbook Magazine in mid 1984 warning against in school "stranger danger education programs" citing the undue stress of the issue on young minds as compared to the probability that the child would be abducted. The media tackled the issue with renewed vigor and suddenly, missing kids were the "hot topic."

As the issue became more and more publicized, it began to draw the attention of the government. In May of 1984 the Congressional Research Service listed twenty organizations created to aid the missing and their families. By March of 1985, when the National Center printed its "Directory of Support Services", there were more than sixty such organizations. The founders of these groups came from all walks of life: parents, profiteers and private citizens. Some had the best of intentions, others did not. This rapid influx of "available services" left a great many vulnerable parents at risk of exploitation. Lack of standards allowed organizations to appear and grow unchecked. Agencies opened with no idea of how to develop service priorities or how to provide necessary services.

The over exaggeration of stranger abduction was an issue even as our federal lawmakers began considering legislative answers to the problem of child abduction. The Report of the Judiciary of the U.S. Senate on S. 2614, Title I, May 11, 1986 (regarding the Missing Children's Assistance Act of 1983) reflects this exaggeration of statistics: "one and a half million children are reported missing each year. Of these, 20,000 to 50,000 disappear each year and their cases remain unsolved, while 100,000 are feloniously abducted in violation of court orders." The Report also states, "each year, 3,000 individuals are

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buried unidentified; hundreds of these are children." The actual facts are plain and well documented. The Federal Bureau of Investigation lists less than 200 "suspiciously missing" children over a multi-year span of time. This is further supported by the National Center's own numbers. According to the Center's Quarterly Progress Report,¹ "reports on possible cases" taken by the Center from October 19, 1984 through March 31, 1986 involving "abductions by unknown individuals" amounted to 257 cases. The Center provided "technical assistance" in this type of case in a total of 325 cases, and "assisted in the recovery" of 157 children "abducted by unknown individuals." In the area of non-custodial abduction, the Center has dealt with approximately three thousand to five thousand cases. As for unidentified dead children, the number is very small, far less than the 3,000 cited in the Report.

The Report on the Missing Children's Assistance Act pointed out some of the greatest needs in the field. Among these were the need for a "National Clearinghouse", a "National Resource Center" and a national toll free hotline. Also included were suggestions for the provision of technical assistance to existing agencies; research into all facets of the issue and granting funds to agencies providing various services to families of the missing. All of these suggestions were included in the final draft of the Missing Children's Assistance Act and many of us in the field began to look forward to the promised coordination of services and the cooperation of the government.

Existing agencies felt that other benefits would be forthcoming as well, among them: increased networking ability, increased information flow to the public, increased inter-agency cooperation, better cooperation with law enforcement, funding aid, technical assistance and a provision for protecting the public from exploitation. Parents of missing children expressed a belief that the Act would provide them with an ability to effect more efficient locations and recoveries and that their children would be better protected via more appropriate legislation. Parents of safe children hope they would have access to effective information about how to help their children be protected. As time passed, however, it became evident that addressing the most immediate needs was not a high priority on the OJJDP agenda.

The fear of the children was exacerbated as pictures of the missing began to invade almost every part of their lives. Children were facing the issue at the breakfast table, on TV and at school. Ellen Goodman, in an article for the Orlando Times, related an incident she overheard at a local grocery store. A small boy, about five years old, was shopping with his mother and they were about to purchase soft drinks; on many of the bottles were neck labels bearing photos of missing children. The little boy hung back and said to his mother, "Let's not go down there anymore, mom. That's the sad aisle." In awareness programs in elementary schools, we began to hear children asking some heartrending questions. One little girl asked why grown-ups hurt little kids if they didn't even know them. A small boy asked if bad people took kids away if the kids were bad. Another little girl said she knew she couldn't get away if she were picked up, because she was only a kid. Her attitude was so forlorn, as if she had already given up. In Mt. Laurel, New Jersey just recently there was an event that poignantly marks this injustice to our children. A play was enacted there called "Dangerous Strangers". The scenes in the play depicted familiar streets and landmarks from a small neighborhood and the play was offered free to the children and families in that neighborhood. The child actors in the play were abducted from those familiar corners, one was even chloroformed and literally dragged away by a female "abductor". One of the children in the play never returned, in order to show the young audience members that many times, the thousands of stranger abducted children do not come home.

¹ National Center for Missing and Exploited Children - Quarterly Progress Report - January 1 - March 31, 1986

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While children and their families faced the public dilemma, private organizations were facing internal problems. Sources for "in-kind" services and funding, while friendly enough, seemed to feel that our need for support was not as crucial, given the federal government's answer to the problem. We found it necessary to redouble our efforts to provide valid information to the public as often as possible in an attempt to combat the widely available invalid information. We began carrying larger case loads. We were called upon for general information nearly three times as often as before. We were asked to leave our agencies more often for public appearances and other types of work. In short, we continued giving the same services we had been providing in the issue with resources even more limited. Consistently, however, private agencies were given less financial support and media attention. We had been given to understand by Jay Howell, Center director, that we would be the recipients of support, in a letter written June 13, 1984:

"The cooperative agreement between the Center and the U.S. Department of Justice giving us funding through OJJDP contains a provision for making some limited financial awards to private not for profit groups concerned with the issue of missing and exploited children. As our private sector funding grows, the number and size of these awards will also increase... We will receive many calls from the print and electronic media requesting photos and background information. Our plan is to refer the media directly to the missing children groups and/or the parents."¹

Unfortunately, we were to find that this pledge of support, along with most of the others made in Mr. Howell's correspondence, never came to fruition.

In the beginning of 1986, we took stock of what had been achieved in the implementation of the Missing Children's Assistance Act, using the goals and objectives outlined in the Act and the stated goals of the National Center as a guide. In total, what we found is disheartening. Our research pointed out several specific areas of conflict between what the MCAA outlined and the actual implementation of the Act.

"The facilitation of effective coordination among federally funded programs relating to missing children"² has been interpreted as a need for statewide clearinghouses, and these were created without an adequate needs assessment. Furthermore, there has not been a valid "annual summary of recently completed research, research being conducted, or of federal, state and local demonstration projects that relate to missing children."³ Particular emphasis was to have been placed on "effective models of local, state and federal coordination and cooperation in locating missing children."⁴ To date, we have seen only the use of widespread dissemination of missing children's photographs as a method of locating missing children.

"Effective programs in the area of public awareness of the

¹Correspondence referenced is attached; Jay Howell; June 13, 1984
²Burding from the Missing Children's Assistance Act; Sec. 404a(2)
³Ibid.; Sec. 404a(5)
⁴Ibid.; Sec. 404a(5)(A)

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problem of missing children¹ were to have been studied, along with "effective programs for the prevention of abduction and sexual exploitation."² Instead of an analysis, we've seen the creation of new programs, such as the "Campaign to Protect Our Children". This kind of duplication of services has further served to ignore existing agencies.

The "Report of the Advisory Board on Missing Children" provided little concrete data and was basically a regurgitation of already published information. The exception to this was the continuous downplaying of the needs of runaway and homeless children, who were depicted as "Huck Finn" stories and defined as "children who voluntarily abandon their parents or guardians."³ The final conclusions drawn in the Advisory Board's Report did little to "plan for the facilitation and coordination of agencies and organizations dealing with missing and exploited children."⁴

The national toll free Hotline was created for the reporting of "information regarding the location of any missing child or other child thirteen years of age or younger."⁵ The Hotline has consistently taken reports on children older than 13 and we have been unable to determine the action taken on these older children. In addition, pictures of missing adults have been aired sporadically using the Hotline number, yet the operators at the Hotline do not take information on any "adult missing" cases.

The Act states that the Clearinghouse is to provide "technical assistance to local and State governments, public and private not for profit agencies and individuals in locating and recovering missing children." The technical assistance thus far has been offered exclusively to law enforcement.

"Coordination of public and private programs involved in the location, recovery or reunion of missing children with their legal custodians"⁶ has amounted to exclusive contracts between the National Center and the media for photo and case publication. Businesses in the private sector have pledged their support to the issue by giving exclusively to the recently created Endowment Fund for Missing and Exploited Children.

Most of the printed material that has been made available under the Act's appropriation has been a duplication of available materials or worse still, a compilation of information that has no hope for practical application in the real world of missing children and their families. For instance, the Parental Kidnaping handbook provided the victim parent with the advice of retaining an attorney, possibly two attorneys, one in the Home State and one in the State in which the child is located (the Refuge State). This booklet also suggests the attorneys meet with each other. The reality of the situation is that most parents who are involved in a custodial interference matter are without the financial resources to hire even one attorney. The balance of this booklet provides little information about the victim parent's rights, and no information as to how a victim parent can enforce their rights. The "Selected State Legislation Handbook" published under the Act's appropriation provides a confusing cross section of a few state laws but does nothing to answer the real questions that parents, agency directors and caseworkers have about the status of laws regarding custody and custodial interference.

¹Wording from the Missing Children's Assistance Act of 1983; Sec. 404a(5)

²Ibid.; Sec. 404a(5)(B)

³Report of the U.S. Attorney General's Advisory Board on Missing Children

⁴Wording from the Missing Children's Assistance Act of 1983; Sec.404a(6)

⁵Ibid.; Sec. 404b(1)

⁶Ibid.; Sec. 404b(1)(B)

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HUMAN RESOURCES SUBCOMMITTEE
OVERSIGHT HEARING

SUBMITTED BY:
SERVICES FOR THE MISSING, INC.
JULY 24, 1986

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These two booklets, like many of the others, fell far short of being helpful to parents of missing children or to service providers working on their behalf.

Late in 1985 the National Center stopped distributing the national Directory of Missing Children Resources that was created in March of 1985, due to changes in some of the agencies originally included. Soon after, the Center's non-referral policy came to our attention. This policy, as outlined in the Procedures and Operations manual, states that "NO referrals of cases or lead information will be made to PVO's (private voluntary organizations)..." Instead, any referrals to PVO's "should be carefully identified as 'support groups' with a brief description of the types of services offered (while not for the investigation of cases - a law enforcement/clearinghouse function).² In the introductory letter we received from Jay Howell in June of 1984, we had been lauded for our successful work and asked to provide case information from our files. We provided the requested information and took Jay at his word when he said, "Our primary aim is to put families of missing and exploited children in touch with groups like yours, which can provide the kind of quality support and assistance they so badly need."³ Now, relegated to being "support groups only" we fear that many parents will choose not to contact private agencies, believing that the National Center will provide them with all of the "location help" they need.

Unfortunately, the acceptance of cases by the Center is based on their own internal policy; those parents who do not have a custody order and a warrant are, so far as we have been able to determine, not entered into the Center's system. We have been unable to determine whether these cases are consistently referred to an advocacy agency that will help them use the system to locate their child. In cases we have handled we've found that even when the Center's criteria are met, no active investigation of the case takes place. Typically, the Center has done intake on the case and will mark it "of assistance in recovery" when the child returns. These examples refer to abductions as well as runaway youths. There is no positive information flow from the National Center regarding case information; requests for aid in dealing with law enforcement have been met with resistance and often, refusal.

The most recent effort to show a "spirit of cooperation" by the Center has been the creation of the "National Center PVO Liaison Committee" which was created by Jay Howell after a suggestion from Georgia Hilgeman, Vanished Children's Alliance, Los Gatos, California. In our opinion, the members of this Committee were chosen arbitrarily; therefore, the Committee's objectivity concerning the relationship between the PVO's and the National Center could be biased.

In March of this year, the National Center disseminated a "report" entitled "An Evaluation of the Crime of Kidnapping As It Is Committed Against Children By Non-Family Members." This report, by virtue of the information included, cannot be taken as a valid "national Incidence Study" such as the one called for by the Act's appropriation. The statistics used were from a very limited source, using 269 cases from two law enforcement sources from 1984 and 212 cases the Center conducted intake on, running from 1979 to 1985. The remainder of the total 818 were gathered from "News Reports and Other Sources". Definitions in the report were unclear and drawing valid conclusions from the report is difficult.

¹PROCEDURES AND OPERATIONS MANUAL; NATIONAL CENTER FOR M&E CHILDREN
Revised 12 May 1986; page 24

²Ibid.

³Correspondence referenced is attached; Jay Howell; June 13, 1984

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The only non-profit agency receiving dollars appropriated under the Missing Children Assistance Act besides the National Center is the Adam Walsh Child Resource Center (AWCRC). The AWCRC receives Justice funds through a joint agreement with the Institute for Non-Profit Management (INPOM) in Denver, Colorado. Monies awarded to INPOM are for the provision of management training to missing children service providers. The AWCRC is to provide training for fingerprinting and public relations.

When we were first notified of the INPOM trainings, it was intimated that an agency would have to participate in an INPOM training to be eligible for any funds from the OJJDP allotment for missing and exploited children service providers. When we questioned this approach, we were informed that the bids for grants would be on an open competitive basis. We have been told, however, that grants will be limited to a ceiling considerably lower than a full service service agency's needs and that INPOM will be administering the grants, instead of OJJDP, as the Act instructs.

Some research efforts have been funded, yet none deal with the problem of parentally abducted children, who comprise the majority of small missing children reported to authorities and the National Center. At this point in time, no funds have been allocated for direct use in the location, recovery or reunion of the missing with their families.

In summary, our research indicates needs are not being met and in most instances, the goals of the Missing Children's Assistance Act of 1983 have not been fulfilled. To a grave degree, the deeply seated needs of families in crisis are being overlooked. The service providers are stretching already thin resources to meet a greater local service need. Legislators are confused about which laws make sense. Parents of safe children don't know what to believe. Children are convinced that their world is not safe to live in. If the original intent of Congress is to be met, many changes in the path we're on will have to be made, and made expeditiously.

There are several ways that the federal government can change the course of hysteria and monetary waste now increasingly connected with the field we serve. The original goals of the Act can be carried out effectively for the amount appropriated for its implementation. If the dollars are used efficiently, the needs of the consumers and the providers can be adequately met.

In developing the following recommendations for changing the present course in the implementation of the Missing Children's Assistance Act of 1983 we attempted to take all aspects of the issue into consideration. In order to reduce the possible impact of emotionalism, we based these recommendations on input from various private and public sources as well as conclusions drawn from our research on the actual effectiveness of the implementation of the "Missing Children's Assistance Act."

RECOMMENDATION ONE

The development of an in-depth referral file of agencies operating on behalf of the missing, utilizing printed information about the agencies. Personal contact with the Agency by an OJJDP staff person should be seen as part of the development of the file. The file should include such things as corporation and tax status documentation; an in-depth description of services offered; letters of support and recommendation that are verifiable and resumes of all employees and chief volunteer staff. Internal records of the Agency should be used to document service effectiveness claims. This file should be created by the OJJDP for use by the National Center and must be updated on a regular basis.

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RECOMMENDATION TWO

Calls regarding abductions by unknown individuals should be handled by the Federal Bureau of Investigation, with adequate appropriations made therefor, on a National basis. This type of case is a criminal kidnapping, and case investigations in these matters should be left to the FBI, in conjunction with grass roots Search and Rescue teams and support efforts. When the Hotline number is made available to persons referred by law enforcement and victim witness programs, the cost of running the Hotline number will lessen considerably. This type of downscale of the Hotline number would have an almost immediate effect on the hysteria associated with "stranger abducted" children and eliminate the cases of kids who are presumed dead, without positive identification due to the cause of death.

RECOMMENDATION THREE

A rational use of photograph projects in the public sector is a necessity. Photographs of missing children should be placed only in the hands of individuals who are likely to see the child and/or the abductor. For instance, an abductor will use common businesses in everyday life, such as the grocery store, gas station, etc. The employees in these businesses should be supplied with photographs on a regular basis and follow ups in conjunction with inservice training. Trained people are much more likely to recognize a child than the average shopper who catches a fleeting glimpse of a photograph. It must also be considered that the abductor of a child is more likely to see the child's picture when it is publicly displayed. If the abductor feels the pressure is on, they will generally relocate, making it more difficult to locate the perpetrator and emotionally more difficult for the abducted child. Photographs now in general public circulation should be removed from display.

RECOMMENDATION FOUR

This recommendation involves the issue of phoned in "sightings" of missing children. Unanswered questions regarding the effectiveness of photograph efforts on the actual location of the missing are compounded by the massive amounts of dollars expended to fund the National Hotline. After one showing of the movie "Adam", seen by some as the largest exploiter of the issue, ten children were located. Nine of these were taken by a parent, the tenth was termed a "voluntarily missing" youth. About \$34,000.00 was spent just to take reports on sightings after this movie. In this instance alone, aside from the three million dollars spent to produce the movie, the cost of service delivery per child located was \$3,400.00. There are more effective, efficient and rational ways than photograph projects to locate missing children and these other methods should be employed.

RECOMMENDATION FIVE

The overall goals of the NCAA must include a provision for aid to families of missing young adults and of the elderly who are missing. Presently, these populations are completely ignored by the government.

RECOMMENDATION SIX

There should be created a new field within the National Crime Information Center (NCIC) to be utilized for the input of reports of all unexplained disappearances of adults, for use in the cross reference of unidentified bodies.

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RECOMMENDATION SEVEN

Federal legislation must be drafted to provide aid to families of children who have been abducted and taken from this Country. The Hague Convention does not adequately answer the needs of this population, nor does it provide for any type of enforcement outside the United States. OJJDP should evaluate this problem with the aid of various private non-profit agency directors in order to identify specific needs. The results of this needs assessment should be used as a base for the drafting of sample legislation to answer the targeted needs.

RECOMMENDATION EIGHT

Research projects must be funded in order to study the problem of parental abduction. Little information has been gathered in an issue that is affecting thousands of American families. We are dealing with parents of victim children who have stopped voting, stopped answering the Census, stopped taking an interest in their country. Not only is this issue literally breaking the backbone of the family unit and costing the government millions of dollars, it is also affecting the attitudes of tax paying Americans who expect their government to protect them and their children.

RECOMMENDATION NINE

Model programs for aftercare counseling services must be created by the OJJDP in order to train providers in this vital area. At present, when a child is returned home neither the child nor the parent are prepared for the re-entry. Many times the unbalanced expectations and avoidance of root issues in this "reunion" situation inhibit the ability of the family to stay together.

RECOMMENDATION TEN

The opening of the Endowment Fund for Missing and Exploited Children for competitive bid by service providers in the field is an imperative priority. The monies in this fund were solicited using Federal dollars and commitments were made to use these funds to aid in the issue. It would be entirely unfair to allow these funds to be used for the perpetuation of the National Center while limiting the access of other private, not for profit agencies providing the same services.

RECOMMENDATION ELEVEN

This recommendation deals with the \$400,000.00 recently granted to INPOM. The funds this "for profit" company now holds are to be granted to non profits on a competitive basis with an as yet undisclosed ceiling on the amounts a "PYO" can request. INPOM, by it's own admittance, has no expertise in the issue of missing children. These funds should be returned and administered through OJJDP in the same manner as any other Social Service function funded by the Federal government.

RECOMMENDATION TWELVE

The membership requirements for the Missing Children Advisory Panel should be evaluated. Additions of at least three service providers of runaway, homeless and missing youth and their families should be included. This provides a more balanced view of the effect of the issue on these target populations.

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RECOMMENDATION THIRTEEN

In keeping with the intent to create a "National Clearinghouse", the services now being provided by the National Center for Missing and Exploited Children must be re-evaluated. These services should be changed and prioritized to include the following components:

- a) Compilation, printing and dissemination of new educational/informational brochures and booklets, utilizing valid existing data, gathered from reliable sources
- b) Development and maintenance of a Data Base of information regarding legal professional willing to provide pro bono or low cost services to families of missing children in all fifty states and allow the use of this Data Base, upon request, by individuals, public and private agencies and law enforcement
- c) Development and maintenance of a Data Base of information regarding hotels, motels, restaurants and transportation services willing to provide pro bono or low cost services to families of the missing upon location and recovery of missing children in all fifty states and allow the use of this Data Base, upon request, by individuals, public and private agencies and law enforcement
- d) Act as a national referral point, utilizing the Referral File created by OJJDP regarding available services (see Recommendation One) for parents of missing children, the media and possible funding and volunteer or support services
- e) Development and maintenance of a Data Base of information regarding existing laws in each of the fifty states related to child abduction, child custody and child exploitation and allow the use of this Data Base, upon request, by individuals, private and public agencies and law enforcement
- f) Presentation of technical assistance seminars to all requesting non-profit agencies, public and private, as well as to social service agencies and law enforcement
- g) Maintenance of a file of available, up to date, educational seminars and programs offered by existing agencies
- h) Development and maintenance of a clipping file for use in measuring public awareness and targeting service gaps in conjunction with the Advisory Panel on Missing Children and the OJJDP
- i) Maintenance of a Hotline on which to take reports on parentally abducted and "voluntarily" missing children under the age of thirteen for referral to existing agencies; all cases of missing children over thirteen should be referred to the National Runaway Switchboard. As noted in Recommendation Two, "suspiciously missing" cases should be handled at a special Hotline by the FBI with adequate appropriation
- j) Filling of information requests via a regular business phone line
- k) Development and maintenance of other referral files as may be indicated after a needs assessment by OJJDP

RECOMMENDATION FOURTEEN

The subject of State Clearinghouses should be researched in more depth and the services these Clearinghouses are to provide should be prioritized based on existing services in the areas proposed for the set up of the Clearinghouse. In many cases, the need for a State Clearinghouse is already being met by State Police Missing Persons Units and specially created Commissions. In other states the need for a Clearinghouse may be negligible due to a low incidence rate of child abduction. Dollars appropriated for Clearinghouses may be better spent in the partial subsidizing of existing services or even used in conjunction with state dollars to fund extra law enforcement personnel and training projects.

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RECOMMENDATION FIFTEEN

In each area of service need, existing services should be evaluated and contracted with as often as possible. This will counterbalance the overwhelming duplication of services that has been a trademark of this Act's implementation. Contracting with already existing services will conserve scarce financial resources as well.

In carrying out these recommendations, our Federal lawmakers will ensure a more effective and efficient response to the issue of missing children. The Recommendations should be considered in the development of priorities for the future implementation of the Missing Children's Assistance Act by the Office of Juvenile Justice and Delinquency Prevention. The funds saved by reducing the duplication of services by the National Center should be adequate for the restructuring of the service priorities and the addition of the needed changes.

We feel very strongly that our legislators supported the Missing Children's Assistance Act in order to provide aid to their local constituencies working on behalf of the mission. It is also our belief that the intent of the legislation was to provide valid, effective services to parents and victim children. Unfortunately, what has evolved is a bureaucracy that is not providing valid or effective services to the general public or to parents and victim children, and that has adversely affected existing services.

If the field serving the missing is to survive, if parents are ever going to have their needs met, if children are to be consistently found and successfully reunited with their families, then we must move to change the course we are presently on. We are counting on our elected officials to ensure this change of direction so that families of the missing and the safe will be best served.

Respectfully submitted,



Nikolette Thomas
for
Services for the Missing, Inc.
Post Office box 26
150 Berlin Road
Gibbstown, New Jersey 08026
609-783-3101

THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN

1835 K Street, N.W., Suite 700
Washington, D.C. 20006

June 13, 1984

Jim and Nikki Thoman
Hide and Seek Foundation of Camden County
150 Berlin Road
Gibbstown, New Jersey 08026

Dear Jim and Nikki,

Over the past decade, the only real source of help to parents of missing children was private citizens action groups. As new groups such as the Hide and Seek Foundation of Camden County joined their ranks, public awareness concerning the issues of missing and exploited children increased. Such programs and the lobbying efforts of parents has focused national attention on this sensitive issue and as a result, the U. S. government has taken action.

On June 13, 1984, the National Center for Missing and Exploited Children became a reality. We are very excited about the many things the Center hopes to accomplish. Much of the grassroots activity concerning missing and exploited children can be much more appropriately handled by you - the local organization. We anticipate making frequent referrals to you and hope that you will feel equally comfortable about calling on us. Our goal is to provide technical assistance; information and referral services; education, prevention and public awareness programs; and other reference materials to parents, missing children groups, law enforcement organizations and other interested organizations and individuals.

We have brought together a staff of professional representatives of various aspects of the work that has been done in the area of missing and exploited children. You will recognize many of them as old friends and colleagues.

John Rabun, formerly with the Louisville-Jefferson County Exploited and Missing Child Unit, is the Center's Deputy Director. Also, joining our staff from that unit is Margarete Sanders, who will be a Technical Advisor in the Division on Missing and Exploited Children.

Bob Derbyshire, a 15-year veteran of the Baltimore County Police Department who has been nationally recognized for his sexual assault investigations, is the Chief Technical Advisor to the Division on Missing and Exploited Children. Joining Bob as another Technical Advisor is a former investigator with the Alexandria, Virginia Police Department, Jim Scutt.

Jo Ann Currier, founder of Child Keyppers of Florida, Inc., is the Coordinator of the Education, Prevention and Public Awareness Division. Jo Ann is being joined by Marsha Gilmer, a former clinical director recognized for her work in counseling children. She will serve as that Division's Program Specialist.

Functionally, the Center will be divided into three Divisions. The Division on Missing Children will be staffed by a team of expert technical advisors and will include a national, toll-free hot line where sightings of missing children may be reported. This Division will also be responsible for disseminating information on appropriate steps that should be taken in each of the types of missing children cases.

The Division on Exploited Children will provide training and education for the criminal justice community regarding the exploitation of children, effective law enforcement, appropriate sentencing of offenders and treatment of child victims in the courts and treatment centers. The staff will focus its attention on cases involving pornography, prostitution, exploitation and other criminal offenses against children.

The Division on Education, Prevention and Public Awareness will distribute the most sophisticated educational materials available to individuals, groups, agencies, communities, volunteer organizations, law enforcement agencies, local, state and federal institutions. The staff will also collect and disseminate effective state and local statutes and programs.

Since we are just opening, many of our programs are still under development, and preparation will take time. Currently being produced in conjunction with the American Bar Association is a guide to help those dealing with parental kidnappings. This should be ready for general distribution by fall.

Also in the planning stage is a comprehensive National Conference on Missing and Exploited Children. It will be held in late fall in an easily accessible metropolitan city.

In late summer, our toll-free national hot line will become operational. These incoming lines will be available to persons wishing to report sightings of missing children or for assistance. They will not be used for processing other types of requests.

One of our first priorities is to establish a productive flow of information between the Center and groups like the Hide and Seek Foundation of Camden County. Bringing cohesion to our common goal can only serve to strengthen our effectiveness. We need and want your input in the development of many of our programs. Reciprocally, the Center hopes to provide technical assistance and other resources to the private, citizen-action groups. The cooperative agreement between the Center and the U. S. Department of Justice giving us funding through the Office of Juvenile Justice and Delinquency Prevention contains a provision for making some limited financial awards available to private, non-profit groups concerned with the issue of missing and exploited children. As our private sector fund-raising grows, the number and size of such awards will also increase.

The first thing that you can help us with is the preparation of a National Directory listing missing children groups and supportive law enforcement agencies. We would like to include the names and addresses of the various organizations; a brief history of each; a description of services and fees; the scope of the organization and a description of personnel. If you will type or print this information in your own words on a piece of your group's stationery and return it to Jo Ann at the Center within the next three weeks, it will be most helpful. When completed, this directory will be sent to interested parents, law enforcement organizations, local and state agencies and persons wishing to make in-kind or monetary contributions to grassroots activities.

Once the Center is open, we will receive many calls from the print and electronic media requesting photographs and background data on missing children. Our plan is to refer the media directly to the missing children groups and/or the parents of missing children through the attached forms which are to be sent to the National Center to be placed on file. Please keep one for each child your group wishes to publicize.

Our primary aim is to put the families of missing and exploited children in touch with groups like yours, which can provide them with the kind of quality support and assistance they so badly need. As more specific information concerning the Center's programs becomes available, you will be contacted. I look forward to the continuation of our long-standing friendships and to the fostering of new ones.

Sincerely,

Jay

Jay C. Howell
Executive Director

Enclosures

BIOGRAPHY

NIKOLETTE THOMAN

150 Berlin Road
 Gibbsboro, New Jersey 08026
 (609) 784-6478
 (609) 783-3101

Nikolette Thoman founded Services for the Missing, Inc. in March of 1983 after being reunited with her birthfather from whom she had been separated by divorce for more than twenty years.

A graduate of Florida based college, Thoman earned honors in the study of Child Development and Early Childhood Education. She was elected to Phi Theta Kappa; Who's Who Among American Junior College Students and the International Association of Young Achievers during and after her college career.

In the three years since founding Services for the Missing, Inc., Thoman has worked closely with parents and lawmakers to combat several of the problems in the field of missing children service providers. She has proven to be a strong advocate for all persons involved in a missing related crisis.

In 1985 Thoman worked with Assemblyman John Rocco (Rep.; NJ) to implement Missing Persons Month, held from Mother's Day to Father's Day to direct attention to the plight of missing adults and their families. In 1986, this Special Resolution was introduced as a Bill to create this designated Month as a permanent fixture in New Jersey law. Additionally, Thoman drafted two pieces of legislation regarding parental abduction that were introduced in 1986 to the New Jersey legislature.

Thoman was instrumental in the passage of a resolution entitled "Missing Children's Services" in both 1985 and 1986 by the National Network of Runaway and Youth Services, a national agency dedicated to providing quality services to youth and their families.

Thoman is a member of the American Public Welfare Association and the National Council for Children's Rights. She is 28 years old, married and the mother of two daughters.

SERVICES
for the
MISSING
P.O. Box 26
Gibbsboro, NJ 08026

Nikolette Thoman
Executive Director

(609) 783-3101

SERVICES FOR THE MISSING, INC.

SITE ADDRESS: 150 BERLIN ROAD

MAILING ADDRESS: POST OFFICE BOX 26

GIBBSBORO, NEW JERSEY 08026

A NEW JERSEY BASED NON PROFIT, TAX EXEMPT AGENCY

TELEPHONE: 609-783-3101

REGULAR HOURS: MONDAYS, WEDNESDAYS AND FRIDAYS, 10 AM TIL 6 PM

MONDAYS THROUGH THURSDAYS: 7:30 PM TIL 11 PM

OTHER HOURS: ANSWERING MACHINE, MESSAGES CHECKED EVERY HOUR

AGENCY MISSION:

ASSISTS FAMILIES IN ALL ASPECTS OF MISSING RELATED CRISIS, INCLUDING RUNAWAYS, PARENTAL ABDUCTION AND MISSING ADULTS. ALSO PROVIDES SEMINARS RELATED TO THE ISSUE AND SEMINARS DESIGNED TO KEEP SAFE KIDS SAFE AND WITHOUT FEAR. THE AGENCY IS DEDICATED TO HELPING TO IMPROVE THE QUALITY OF LIFE FOR ALL YOUTH AND FAMILIES, AND WORKS TO CHANGE EXISTING LAWS OR DRAFT NEW BILLS, TOWARD THIS PURPOSE.

GEOGRAPHIC AREA SERVED: LOCAL TRI COUNTY AREA FOR SEMINAR PROGRAMS AND NATIONAL FOR SERVICES TO FAMILIES OF MISSING PERSONS, CHILDREN, YOUTH AND ADULTS.

FEES:

NO FEES CHARGED TO FAMILY MEMBERS OF THE MISSING. NEGOTIABLE FEE CHARGE UNDER \$20.00 FOR SEMINARS TO SCHOOLS AND ASSOCIATIONS. THE FEE IS WAIVED IF THE REQUESTING GROUP DOES NOT HAVE A BUDGET FOR SPEAKERS.

FUNDING:

THE AGENCY IS DEPENDENT ON PRIVATE DONATIONS AND CORPORATE GIFTS, CHOOSING NOT TO SOLICIT GOVERNMENT SOURCES DUE TO FEDERAL REGULATIONS WHICH RESTRICT A GOVERNMENT FUNDED AGENCY'S ACCESS TO LEGISLATORS AND THE ABILITY TO LOBBY. THE AGENCY DID RECEIVE PARTIAL FUNDING FROM A GOVERNMENTAL SOURCE IN 1984 AND 1985 BUT DID NOT REAPPLY.

SERVICES
for the
MISSING
P.O. Box 26
Gibbsboro, NJ 08026

Nikolette Thoman
Executive Director

(609) 783-3101

STAFFING:

ONE PARA PROFESSIONAL PAID PART TIME SALARY
EIGHT VOLUNTEER STAFF

SERVICE DATA:

IN NUMBERS OF PERSONS (INCLUDING CHILDREN) SERVED IN ANY OF THE THREE
MAIN PROGRAMS OFFERED: 1) SERVICES TO FAMILIES OF THE MISSING; 2) ISSUE
SEMINARS - ADULTS; 3) CHILDREN'S SEMINARS (INCLUDES YOUTH)

SERVICE 1 - DIRECT SERVICE TO A FAMILY WITH A MISSING MEMBER

1985 - 365 INDIVIDUALS

1984 - 250 INDIVIDUALS

**SERVICE 2 - SEMINARS AND/OR SEMINAR MATERIAL OFFERED IN AN ASPECT OF THE
ISSUE OF MISSING PERSONS; THESE SEMINARS WERE PROVIDED TO SCHOOLS,
BUSINESSES AND ASSOCIATIONS.**

1985 - 2175 INDIVIDUALS

1984 - 1195 INDIVIDUALS

**SERVICE THREE - SEMINARS DIRECTED TO CHILDREN, AGES 7-12 AND YOUTH AGES
13-18, WITH APPROPRIATE MATERIAL. THESE SEMINARS OFFERED IN A TRI COUNTY
AREA ONLY, USING TRAINED VOLUNTEERS WHO ARE SCREENED PRIOR TO TRAINING.**

1985 - 350 CHILDREN AND YOUTH

1984 - 0

TOTAL UNITS OF SERVICE PROVIDED - UNMULTIPLIED COUNT

1985 - 2890 INDIVIDUAL UNITS

1984 - 1445 INDIVIDUAL UNITS

YEARLY AGENCY BUDGET SINCE ITS INCEPTION IN MARCH OF 1982 HAS BEEN LESS
THAN \$10,000.00. 1986 IS THE FIRST YEAR WITHOUT A PARTIAL GRANT FROM THE
GOVERNMENT; BUDGET TO DATE IS LESS THAN \$4500.00.

ANY OTHER AGENCY INFORMATION CAN BE OBTAINED BY CALLING SERVICES FOR THE
MISSING, INC. 609-783-3101

Courier Post
March 21, 1985

New laws urged to protect parents of missing children

By WAYNE J. DAWSON
Of the Courier-Post

COLUMBIA — Some of the organizations dealing with missing children are simply "padding" pads for profits at the expense of desperate parents and should be regulated, a state commission was told last night.

"There are people in this state who are helping only their egos and bank accounts on the bodies of missing children," the founder of a Gibbstown group which deals with missing persons said.

Nikki Thomas, founder and executive director of Hide & Seek, recommended setting standards for such services because the booming, unregulated 1-year-old "industry" is easy prey for the unscrupulous to use to exploit families.

The commission, headed by Ocean County Democratic Assemblywoman Marlene Lynch, held its third and final public hearing at the Hall of Justice here to enable state legislators to consider tightening existing laws or passing new ones dealing with missing children.

About 40 people attended the approximately 3-hour hearing and about half of the group spoke. They included law enforcement officials, educators, representatives from missing children organizations and other social agencies and parents of children who are missing.

Several parents had their own horror stories to tell.

Valerie Seufert of Mount Holly said her son Michael, 4, and daughter Trista, 6, were kidnapped last summer by her ex-husband

and taken to Nicaragua, nine months after she received legal custody.

She told the commission that the U.S. State Department and the FBI would not help her because parental kidnapping is not an indictable offense. A federal warrant is necessary for international police to enter such a case.

Tom Bomer of Somerset County said his 10-year-old son was kidnapped in June 1983 by his estranged wife and he had to go to Decatur, Ga., 17 months later to get him back. He urged that the distinction between parental and non-parental kidnappings be eliminated.

"Parental snatching is a fourth-degree offense; for anyone else it's a first-degree offense," he said outside the chamber. "I don't see why it should make a difference in the law."

Stephen G. Raymond, Burlington County prosecutor, recommended legislative action making parental kidnapping a more serious offense.

Thomas said missing children's organizations should be treated like businesses and subjected to a set of standards.

"We're paying lip service to missing children without standards in the industry," Thomas said.

Charles Sutherland of Search Reports Inc. in Bergen County showed commission members slickly designed books and direct-mail pamphlets from a child-search organization describing the horrors of child abduction and abuse while urging parents to pay for its services.

NEW JERSEY

PASCATAWAY — Town attempts to go TV-free: School and town officials have asked Pascataway's 40,000 residents to give up TV viewing during April. Reason: to rediscover reading, lectures, conversation ... **GIBBSTOWN** — Hide and Seek, a group that helps find missing persons, urges lawmakers to regulate the "missing-persons industry" to weed out unscrupulous firms.

A
USA Today
March 22, 1985

* Hide and Seek, Inc. EG was the original incorporated name of Services for the Missing, Inc. The name was changed in December, 1984.

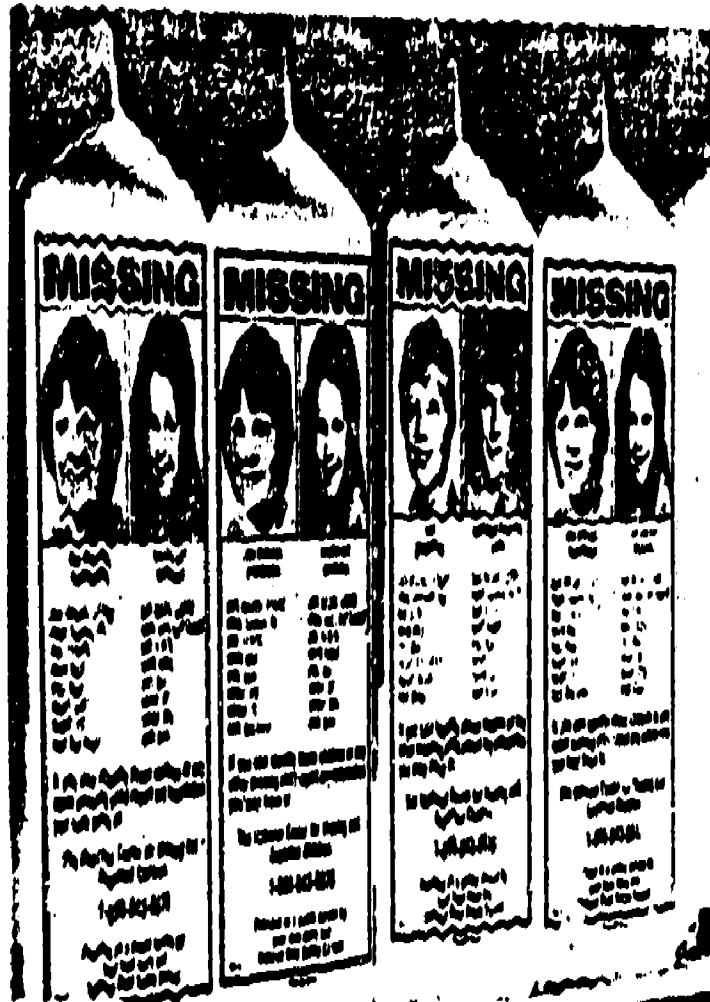
Are we teaching our children to be smart or to be scared?

BY DON RUSSELL

THEIR PHOTOGRAPHS ARE on milk cartons, in the newspapers, on wanted posters in shop windows, on paper bags in the supermarket. They are missing children — the subject of a growing national hysteria.

It is a hysteria fueled by newspaper reports and television shows about child abductions with grisly outcomes; and statistics that shockingly claim 20,000, 50,000, 150,000 children a year "simply disappear."

Dozens of organizations have been founded in the last two years, promising they'll help find the children and counsel the families who've lost them. Others publicize "tips" to protect youngsters from abductions ("Don't let your child go to a public restroom alone," urges one), and still others offer to record your children with fingerprints, videotapes and



even microfiche dental implants in case they're ever lost and their bodies must be identified.

Law enforcement agencies have gotten involved as well. Most county sheriff departments now commit special resources to missing children investigations. New Jersey has created a new statewide Commission on Missing Persons, and the FBI is now mandated to record missing persons reports on its national crime computers. There is even a federal clearinghouse — the National Center for Missing & Exploited Children — established to coordinate the entire effort.

And there are victims' stories, graphically reported by the public and private organizations. "To be cared about me at home," reads one, from "Andy," a boy of the Kentucky Task Force on Exploited and Missing Children. "But this man, I

(Continued on page 5)

The Sun - Atlantic City - 5/85

The Sun - Atlantic City - 5/85

Missing children

(Continued from page 1)

thought he wanted to help me. Instead he made me do bad things and took pictures of me. He hurt me again and again. I'm so ashamed and embarrassed, especially of those pictures."

The same task force published a brochure with a stark black-and-white photograph of a scared-looking young girl and this message: "A child as young as 8 or 9 can be abducted by pimps, beaten, addicted to drugs, and put on the street as a prostitute."

Abducted. Beaten. Addicted. It is enough to scare the hell out of anyone. Parents. Families. Children.

ANNETTE CORBITT WAS standing around, drinking Hawaiian Punch and nothing on a Dunkin' Donut the other afternoon at the Slaybaugh Middle School in Egg Harbor Township. Her daughter, Nicole, 14, had just completed a presentation on missing children for her eighth-grade gifted students

class.

"Nicole's my youngest," said Corbett, "but I had concerns for my older children, too. I never bought them clothes with their names in them because you can imagine how easy it is for a child to lose them if someone calls them by name and asks them to go with them. I always took my children to the bus stop."

With the two young girls, 5 and 8, William Carpenter, principal of Slaybaugh Township Middle School, who also attended Nicole's presentation. "I can't think of anything worse than going through life and having them missing. It's the worst conceivable thing I can think of."

"Really," said Corbett, "I just feel sorry for the children, that they have to grow up like this."

And don't, for a moment, think that the children don't know what's happening. Nicole,

who is barely into her teens, gave an in-depth presentation that contained just about every aspect of the missing children problem: parental abductions where an estranged mate steals a child, stranger abductions in which youngsters are molested, runaways who are kidnapped on the streets and forced to prostitute themselves, and the sicko cases that are too horrible to talk about.

I asked Nicole what shocked her the most about her research, and she pulled out a brochure that is widely distributed to parents' groups. "You look at something like this," she said, pointing to a photograph of a 6-year-old, half-naked, bruised and chained to a wooden bench, "and you can't believe this stuff is going on. I mean, 50,000 kids every year are missing — that's like the Vietnam War, every year. Yes, they're blunt messages, but they make people

wake up and listen."

And if those messages aren't enough, consider the indirect messages the kids are receiving. Imagine, for instance, what it must be like to be five years old and to be fingerprinted. "Why are they putting my fingers in ink, Mommy?" How do you answer that one? "Because, honey, we want to be able to identify you if they ever find your body in some marsh." Even if Mommy concocts a phony answer, the kids know. They see the milk cartons, they know what happened to Adam Walsh, the youngster who was abducted from a shopping center and eventually decapitated.

This week, for the third time, the tele-movie "Adam," was broadcast on national television, and afterwards there was a televised segment called "Missing: Have You Seen This Person?" It featured dramatized versions about child abductions that end-

ed with the child character being "vaporized" through the magic of television, never to be seen again.

"I'd like to know," said Nikki Thoman, executive director of Services for the Missing in Camden County, "how many kids sat down in front of their TV set and saw that and wondered, 'My God, I could just vaporize?'"

"The whole issue is being sensationalized beyond belief," said Thoman. "Psychologists are starting to speak out against things like fingerprinting. It's frightening. They've got to wonder, 'I could be next.' We're playing with fire by oversensationalizing this issue. Yes, missing children is a big problem — that's the reason I'm involved in the issue — but it's getting to the point where we're scaring everyone."

Thoman and others put much
(Continued on page 8)

Missing children

(Continued from page 5)

of the blame on the very groups that are supposedly fighting the problem, particularly in regard to their use of inflated statistics. Recently, several states, including New Jersey, have

ordered local police departments to accept missing persons reports as soon as they're filed, instead of requiring a 24-hour waiting period to make certain the victim is indeed missing. The ruling, along with vastly im-

proved national networking of missing persons reports, has increased the numbers: in 1984, more than 1.5 million missing persons reports were filed.

Yet, according to the National Center for Missing & Exploited Children, 85 percent of the missing persons turned up within 24

hours of the initial report. In Ocean County, which boasts New Jersey's most expansive missing persons program, 600 missing person reports were filed in 1984, but just 20 are still open, and most of them are runaways, not abductees.

"Look," said Thoman, "there's no way in the world I'm going to trivialize the problems of abductees and parental abductions. In fact, I think that's where we should be addressing most of our attention — it's time we looked into the problems at home and found out why so many children are leaving and winding up in the streets, in places like Atlantic City."

"But you have all of this panic information — like this stuff that 50,000 kids are stolen by strangers every year. It's disgusting to see that kind of report because it's not true. The best figure we can come up with is that about 500 kids are stolen by strangers every year."

A spokesman for the National Center for Missing & Exploited Children put the figure closer to 4,000 children, but said it might be as high as 20,000. One problem in reporting these statistics, said the spokesman, is that often parents fail to notify authorities when the child returns.

Thoman believes the figures have been intentionally inflated by missing children organizations in order to solicit more business. "They use a figure like 50,000 kids a year because they know it's the only way a parent will write out a check for ten or fifteen dollars — they scare them of an imminent danger, that there's a pervert behind every mailbox."

"Overkill?" asked Jack Brogan, chief warrant officer of Ocean County's Commission on Exploited & Missing Children. "Perhaps there's been some of that, but it's worth it. Without sensationalism you don't start addressing a situation that's a major problem in the world. It's a sad commentary, but I don't think you can sensationalize

something like this enough."

And really, said Midge Halfrich, Nicole's teacher at Slaybaugh, "the children already know. They grow up so fast, they know what's happening in the world around them."

Knowing what is happening in the world and being afraid of it, though, are two different things altogether. "Are we allowing our children to have a childhood anymore? I think that's a good question to ask ourselves," said Barbara Chapman of the National Center. "Down here (at the center's Washington office) we're very wary about these scare tactics. If you scare yourself and your kids to death, that's not fair. It shouldn't be the main thing on a child's mind that someone's out there to get them. We don't think kids should live a day-to-day existence where they're scared to death."

But the children know the "monsters" are out there.

They see their victims, for example, on the milk cartons. Chapman, whose organization is sponsoring the photograph program, defends the milk carton pictures as "an outstanding opportunity to bring the topic up, casually, in a non-frightening situation, when the family's sitting around the breakfast table." A "non-frightening situation," perhaps, but how many children see those grim photographs as an ominous threat? *"If you're not a good little boy, you'll end up on a milk carton."*

"It's pitting families against each other," said Thoman. "Mom and Dad are worried about their children on the one hand, and on the other, the kids are becoming frightened. They're seeing it as a rule that Mom and Dad give them, not as a life-saving skill."

"Kids deserve our respect as human beings. This is really a self-protection issue for coping with 1985. It's like the woman who never gets into her car without first looking to make sure no one's in the back seat. She's not scared to drive, but she

is careful. That's all we have to do with our kids. We have to make them understand that they can say 'no,' and we have to teach it to them in their whole life. Asking questions, challenging the cashier when she gives a child the wrong change — it all flows through life in a holistic

sort of way, and it could be the very skill that saves them from being abducted."

Thoman calls it "respect," but there is another word for it that youngsters understand better. "It's important for a child," said Nicole, "to feel loved."

Agency Searches for Kidnapped Kids

By CATHERINE BOGG
Press Correspondent

GIBBSBORO — "Parental abduction is child abuse," said N2-ki Thomas.

Thomas, founder and director of services for the Missing, was herself a victim of parental abduction. Now she helps find children kidnapped by a non-custodial parent and is an advocate for standardized national laws on custody and missing children.

In 1963, Thomas's mother took her from their native Pennsylvania to Florida, where she had been raised. She and her sister did not see their father until 1965, when they were reunited through the efforts of her stepmother.

The sisters spent two weeks visiting their father at his home in Oregon. Shortly thereafter, Thomas returned to New Jersey and founded the non-profit agency.

"I wanted to do something to help people in my situation," she said.

Thomas, the slight, blonde mother of two, said it took a lot of time and research to get the organization off the ground.

"This issue is rife with misinformation," she said emphatically. "I wanted to found an agency that would help all people who come under the heading of 'missing.'"

She said children abducted by a non-custodial parent are being lost in the system.

"Most abducted children are taken by a parent or other family member — someone the child already knows," she said.

And she thinks current media attention focused on the situation is "simply missing the point."

"We are scaring the hell out of our children," she said. "And we are not giving them enough education."

She said most people teach their children not to talk to strangers, but don't allow them

Thomas says most programs designed to increase public awareness of missing children, such as the milk carton campaign, won't use pictures of children abducted by a parent or family member.

to question the actions of family members.

"Teach your kids to ask why," she said. "Kids must be able to question any situation in order to protect themselves."

Children also shouldn't be subjected to constant reminders of the problem.

"They don't have to be scared to death," she said, adding children can be made aware of the danger without being intimidated by it.

"Kids can learn to look sensitive. We can teach our children not to look, or act, like victims," she said.

Thomas believes posters of missing children would better serve their purpose by being displayed in pediatricians' offices or in the backrooms of post offices, where mail carriers will see them.

"There's a very real danger that the public will become desensitized to the problem," she said of the barrage of tiny faces plastering the walls of public places.

In addition, she points out most programs designed to make the public aware of missing children, such as the milk carton campaign, will not use pictures of children abducted by a parent or family member.

"That shows you the attitude commonly held toward these cases," she said.

The law, Thomas said, often aggravates the problem.

There are no standards, no

statewide or federal standards, to cover these cases," she said.

Authorities contacted by the parent whose child has been abducted by an ex-spouse may do more harm than good, she said.

She cited the case of Michelle Whitlow, an Indiana woman whose ex-husband disappeared with the couple's infant daughter, Sherri, during his regular visitation.

Michelle Whitlow contacted local authorities. She was told there was nothing they could do. After a frantic search for help, she was put in touch with Services for the Missing.

It was an acquaintance by Thomas on the FBI Domboshow that finally led Michelle Whitlow to her baby. The agency was able to confirm that Sherri's father, a traveling evangelist, had settled with the baby in Memphis, Tenn.

Michelle Whitlow was overjoyed to discover the whereabouts of her child — until she came face-to-face with reality.

"The Texas courts won't accept the Indiana court's custody ruling," Thomas explained in a frustrated voice.

Michelle Whitlow was advised to contact a Texas attorney who would appeal to the courts there and get the Indiana court ruling recognized.

The gap caused by legal maneuverings may cost Michelle her child again," Thomas said. "By the time an attorney

can get through the courts system there, Sherri's father may very well disappear again."

In the meantime, Thomas pointed out, it's the children who suffer most.

"We're not going to stop screaming until we get that across," she said. "Parental abduction is child abuse."

She said a parental abduction can place the child in a loyalty conflict as he or she simply can't win. Too often, severe psychological problems may result, she said, citing the case of 13-year-old James.

Abducted three times by his father and twice by his mother, the child now refuses to leave his room.

"He is terrified he'll be stolen again," said Thomas.

In an office where the walls are plastered with posters of missing children, Thomas explained what it was like to spend 30 years thinking her father had rejected her.

"Until I was 19, I felt literally worthless," she said. "After all, if my father didn't love me, who would?"

She said the only way to stop the services gap is to standardize state laws on custody and parental abduction and have a comprehensive federal policy that will apply to all such cases.

"But the people writing the laws have never dealt with the issue," she said. "This means many of the laws covering missing children cases have loopholes built right in."

The current situation also is creating some ethical problems, she said.

"Right now, anyone can say he'll help you find your child," she said. "He doesn't have to have any kind of suitable background."

She said this leaves the area wide open for the scoundrels.

"There are agencies out there right now who won't even talk to you if you don't have money," she said.

Aiding the search

Help for families missing loved ones

By Jodi Spiegel
Staff Writer

Nilsa Thomas recalls that it was just before her 55th birthday, shortly after her father snatched her from her mother, that her mother "came with a gun and got me back and we moved," from central Pennsylvania to Florida.

It was 28 years before she saw her father again.

Thomas, 77, her sister Barbara, 74, and their father were reunited — through his efforts — on the short-lived television show *Family* in February 1983.

One month later, Thomas, who has a degree in early childhood development and was an assistant counselor for an agency for the missing in Canada, founded Services for the Missing Inc., a nonprofit information and referral agency in Gibbstown.

"We offer aid to anyone who is missing a family member, no matter how old, as long as the inquiry comes from concern," she said.

The agency, which is staffed by seven volunteer board members and four other volunteers who give seminars and answer telephone, directs

people in their searches for missing persons, Thomas said, by making them aware of their rights in dealing with the police and the courts.

It also gives lectures to parents and children and provides them with information packets containing ways to make children's lives safer without making them fearful. The agency operated on a budget of \$4,000 in 1984 and has received grants and donations totaling \$9,000 in 1985. It is seeking additional funding from private, corporate and government sources.

In 1984, Services aided people in searches for 395 people and gave literature about the agency, abductions and the prevention of abductions to 1,011 people. As of May 15, the agency had aided in the search for an additional 136 missing people, and literature was distributed to 1,740 people.

There are "a lot of uneducated anxious parents" who believe abductions of children by strangers are running rampant, said Thomas, who has children of her own.

"They don't take anything but stranger abductions seriously," she said of parents. However, the majority of cases, and the most difficult

cases to deal with, are the abduction of a child by one parent from another, she said.

Although various law enforcement agencies have different methods of compiling statistics on missing persons, they agree that people generally think that many children are abducted by strangers each year.

"The least problem we have (in terms of numbers), but the most serious, is stranger abductions," said Detective Wayne Price of the New Jersey State Police Missing Persons Bureau.

Price said that of the 4,000 to 10,000 people reported missing each year in New Jersey, 75 percent are juveniles. Of the missing juveniles, 90 percent are runaways and 1 percent were abducted by a parent, he said.

The last report of a child abducted by a stranger in New Jersey, Price said, was in 1976, and the girl has since been found alive in another state.

He said he knew of a handful of cases in which children were abducted and sexually abused by a stranger in South Jersey in the last year, but the children were released



Pictures of missing children hang on Thomas's walls

and the cases were being handled as assaults rather than as kidnappings.

According to William Carter, an FBI spokesman, the bureau investigated 100 kidnapping cases nationwide in 1984; 60 of those involved children abducted by strangers.

In an attempt to raise money for

car's in need operation, Services for the Missing is having a comedy show at 8:30 p.m. Tuesday at the Silver Lake Lodge, Clementon. Tickets are being sold at Small's Personal Wear in The Echelon Mall, and information about the show and tickets can be obtained by calling the agency at 783-3301.

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SERVICES for the MISSING P.O. Box 26 Gibbstown, NJ 08026

Nikolette Thoman
Executive Director

(609) 783-3101

by Bill McGeehan, Editor

The plight of missing children has quickly grown into a national concern. Pictures of children who have been suddenly abducted are shown on the news every night. The number of missing children is higher than ever, and the danger is to us all.

The danger is that the national concern has been reduced to a mere original sin of the 1960s television film "Hush". The movie has been re-broadcast over and over since then, and the film is now recognized as the abduction and murder of 8-year-old Anna Walsh, has mobilized the nation into action.

One of the major effects of the film has been a steady flow of letters to police departments asking them to help. For instance, the FBI will now intervene in parental kidnapping cases when a child is taken across state lines.

State legislatures haven't been idle off the issue either. Parental kidnapping is now considered a felony in 48 states. As recently as four years ago, only 30 states considered the offense a felony.

Yet despite all of this, the task of finding missing children is proving to be much more difficult than first envisioned. At the core of this problem is the fact that most publicity has been focused on Adam-Rite abductions and murders, leading to a basic misunderstanding of the problem.

According to U.S. News and World Report, the best estimates are that between 1.1 million and 1.8 million children are missing each year. As many as 80 percent may be runaways,

between the ages of 13 and 17. Some children are abandoned by parents. About 70 percent of runaways return home voluntarily after a week. Local police departments also locate a significant number of these children.

Abduction by strangers accounts for fewer than 1 percent of missing children. The number of child kidnappings by strangers may be as high as 1,000 per year. But while the number of kidnappings by strangers has been relatively constant, the danger facing parents abducted children has been steadily increasing.

Many so-called "bait children" kidnapped by parents are not always safe. Many parents kidnap out of jealousy and not love for the child. Sometimes, the kids are abused, but at least they are loved to live life on the street.

One of the main concerns cropping up now is that we are turning our children into a group of potential victims, afraid to tell anyone. A national organization that is trying to combat this problem is Services for the Missing, based in Gibbstown.

The agency has designed a program to teach Child Abduction Prevention for use with parents and children using Walt Disney's recently released video "Too Smart for Strangers". They are one of eight national agencies asked to undertake this non-threatening educational video.

Nikolette Thoman is executive director of the organization. "Our program deals with the issue of missing children on a very important level," she said. "One, the fear of parents in dealing with the issue and second, the natural fear of children,

towards strangers. We discuss the facts with the parents while their children are prepared for the video in a small group by trained and screened volunteers.

"After this fifteen minute session, parents and children see this very important video together," she continued. "During our session with the parents, we discuss topics such as the true incidence of missing children using national figures provided by the FBI. We also discuss the pros and cons of kidnapping and what they can do to teach their children the vital coping skills of 'stranger danger'."

The children are prepared by a short question and answer period, allowing the child to talk freely about the scary parts of the video. The volunteers also talk about kidnapping with the children, on their own terms, now that every school is now required to offer a program this year. This program is available by videotape in the area. The fee, if funds are available to the school budget, is \$50.00. The fee can be waived if funds are not available.

If you are interested in the program call or write to Services for the Missing, P.O. Box 26, Gibbstown, NJ 08026, (609) 783-3101.

Nationally, people would like to see a more uniform approach to recovering missing youngsters. So far, federal efforts to protect children have been hampered by bureaucracy. Many frustrated parents feel that funding for programs is too meager. Congress originally called for 10 million dollars a year to fund the national center and other missing children programs through 1988. The administration now provides about 5 million.

Governments officials say that money alone is not the answer. "I think we have enough federal money spread now," says Miss Pagnary, administrator of the Office of Juvenile Justice and Delinquency Prevention at the Justice Department. "And we get a better idea of what's more efficient, throwing money at the problem isn't a solution."

For sure, progress has been made. But for families of missing children, reform can't come quick enough. If only one child is missing, it is still too many.

Shopper's Guide
1985

Experts question the value of fingerprinting children

By Barbara J. Chasins
Staff Writer

Every year, approximately 1.5 million children are reported abducted in the United States, although by far the most — up to 10 percent — are thought to be kidnapped to have been abducted by parents to satisfy wishes, such as those are believed to be victims of abduction by their mothers and many of the kidnapping victims.

Parents have been blamed to satisfy their needs, again, and child abduction cases that don't show how to help their children from kidnapping part of their guilty conscience to explain the problem of "kidnap syndrome" has led to a number of programs for the kidnapping of children.

Among the many popular and costly techniques, "fingerprinting" is one program. "However, Charles E. Horman, director of the National Center for Child Abuse and Neglect, a quarterly newsletter for child abuse, said that fingerprinting is not a solution to a kidnapping problem. Fingerprinting, he said, is a way to help find the child, but the cost, time and money are enormous, and the program is not a solution to a kidnapping problem.

Bill Thomas, director of the

for the Missing in Children, N.Y., said that fingerprinting was a "wasteful" use of money. He said that the only way to find a child is to find the parents. He said that the only way to find a child is to find the parents.

"Fingerprinting is a waste of money," Thomas said. "It is a waste of money to fingerprint a child who is not a victim of kidnapping. It is a waste of money to fingerprint a child who is not a victim of kidnapping."

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A child is fingerprinted in one of the many programs that have sprung up across the country.

"Childs explains the best when it's said: 'The kid's not a kid, he's a person.'"

There are other ways to help in kidnapping cases.

Some experts also recommend a close-up photograph of your child's mark. It shows that while they grow larger along with the body, their physical characteristics do not change.

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Dear Mr. Horman,
Enclosed you'll find the article
I discussed with you. Please let
me know if you find it useful and you
will be excellent as usual.
Thank you,
Don Brinson

Wednesday August 7, 1985

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THE DENVER POST

7th Avenue North
M. Newspaper

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Chuck Green, Editorial Page Editor

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Our missing children

IN GOVERNMENT, a pseudo-problem can sometimes become a menace, simply by diverting society's resources away from real problems.

Such is the case with the "missing children" scare, which has greatly exaggerated the danger of children being kidnapped by strangers, while virtually ignoring the real needs of children exploited in custody disputes and youngsters who are runaways.

Estimates of the number of children stolen off the streets have dropped dramatically in recent months, from 50,000 to fewer than 1,000, largely as the result of an investigative report published by The Denver Post in May. That report, given national exposure by a recent CBS News broadcast, revealed that 85 percent of the 1.5 million children who have been reported missing in recent years were runaways — many of whom return home within days — and nearly all of the remaining 5 percent were snatched up by parents in divorce-custody cases.

Now a U.S. senator is planning to look into the controversy. He intends to determine the degree to which the inflated statistics on abducted children have discouraged attempts to deal with what may be a more serious and wide-

spread problem — the abuse of children by non-strangers.

Sen. Mitch McConnell of Kentucky, one of the leading congressional advocates of children's rights, has scheduled a Juvenile Justice subcommittee hearing in Louisville in two weeks. A later hearing may take place in Washington.

We hope the proceedings will help focus public attention on the problems of runaways, who often end up in a frightening no-man's land between home, where they may face physical, sexual or psychological abuse from their parents, and the streets, where they may be similarly exploited by society's misfits.

The congressional investigation could well result in a change of direction at the National Center for Missing and Exploited Children, which was founded at the height of the national outcry and has since concentrated on the specter of stranger abductions. The inquiry also should help determine whether funds given to the center and other such agencies have been well-spent.

On a deeper level, McConnell's questioning could engender some healthy skepticism about estimates in general, and crime statistics in particular.

Sensationalizing the lost children

By Lynn Kozlowski

As I stopped for a newspaper in the local grocery store this morning, a new poster tacked to the bulletin board caught my eye. It was the photograph of a young boy, missing since 1982, hanging in the window of a nearby bakery there was a new poster, too, advising parents to have their children fingerprinted "just in case."

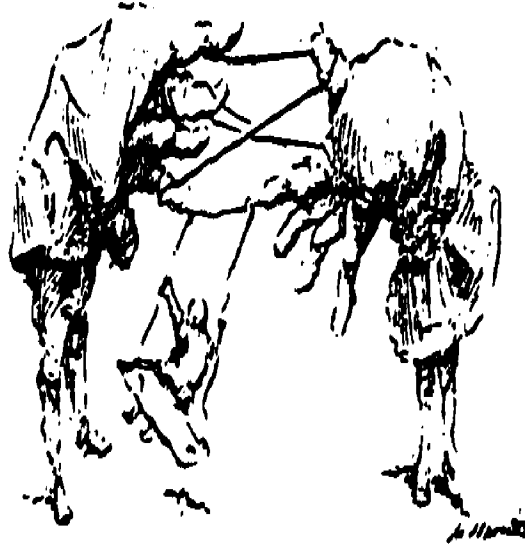
Next door, in a children's clothing shop, were pamphlets warning youngsters about strangers. A sign informed customers that proceeds from the pamphlets would be donated to "Lost Child, Inc."

It's almost impossible to pick up a carton of milk today, without being confronted with reminders about the problem of missing children. And as a parent myself, who can imagine the horror of having my child abducted, I feel grateful that society has responded with so many appeals.

But I am also disturbed by these appeals. While appearing to offer youngsters protection against abduction, they have only, in reality, provided an "after the fact" solution. At the same time, they have created a number of misconceptions that I believe to be harmful and damaging to children.

I first began to feel this way last year when my oldest daughter, Maia, then in kindergarten, came home with a notice requesting our permission to have her fingerprinted at the school. The paper informed us that after being taken, the fingerprints would become our property and that, should our child ever be abducted or reported missing, they may be useful as a means of identification.

My husband and I thought the matter over carefully. I also did some



reading about the fingerprinting program as well as the issue of child abduction and discovered some surprising facts.

According to recent statistics from the National Center for Missing and Exploited Children, out of the 1.5 million children who disappear annually, the majority are runaways, most of whom return home within hours. Of those children believed to be taken illegally, some are kidnapped by strangers (about 2,000 to 6,000 a year) while 500,000 children a year are abducted by their parents, in cases of separation and divorce.

At the same time, the actual effectiveness of the fingerprinting program is questionable. In most cases, I discovered, the fingerprints would only be useful in identifying a dead body. I also wondered whether such a program might make parents less watchful, by creating the illusion that their child was protected.

In the end, we returned the paper

to our daughter's school stating that we preferred not to have her participate in the program. Since this was a rather personal decision, we assumed that would be the end of it.

But it wasn't. One day, several weeks later, Maia came home from school in tears.

"Somebody is going to kidnap me," she sobbed, "and when they do, no one will ever be able to find me."

It didn't take long to figure out what had happened. While many of the parents had decided to have their children fingerprinted, those children who had not participated were quickly singled out. Before long, rumors of predicted kidnappings and futile searches had spread about the kindergarten classrooms as contagiously as chicken pox.

While I understood that the fingerprinting program had been started in our school as a voluntary measure to safeguard children, I couldn't help feeling that it had also created a

number of problems. It was difficult explaining to a fearful 3-year-old why her parents didn't want to "protect" her.

I'm not against employing every reasonable measure to keep children safe. But I think it's time to consider the possibility that the atmosphere created by these various programs, by intense media publicity and constant warnings can be disturbing and overstimulating for a small child.

Teaching children to be cautious without frightening them is one of the difficult balancing acts of being a parent. In a world that often seems terrifying, we need to learn how to help children sort out dangers and to weigh their power; to understand the difference between being fearful and being careful. For uncertainty, it seems to me that too many of the recent efforts in the area of missing children have done more to sensationalize, then solve, the problem.

It also strikes me as more than a coincidence that all of the recent attention to this crisis has come at a time when youngsters seem to be under less parental supervision than ever before. For instance, there are now 7 million latchkey children in the United States, all of whom spend some part of the day at home alone. While it is impossible for even the most conscientious parent to watch his child every minute, I still believe that many of the current, heavy-handed tactics used to protect and locate children would be unnecessary, if parents were truly involved and vigilant.

Not long ago, I overheard a conversation between a woman and her 10-year-old boy as they passed in the aisle of the supermarket.

"Let's not go down this aisle any more," the boy told his mother.

"Why not?" his mother looked at him in surprise.

"Why not?"

"I'm looking at the black and white pictures of children, attached to the necks of the Coke bottles."

"Because," he replied, "This is the sad white."

Most of us, in some way, share the feelings of this little boy when confronted with the reality of missing children. And solutions won't be easy. But making children anxious and fearful only serves to put the burden of the problem back onto the people who are its victims.

We need to confront the deeper issues—the breakdown of communication in the family that has given rise to a growing number of run-arounds; the unresolved conflicts of divorce and child custody that are the cause of most abductions and the societal trends that have produced an increase of lonely, unsupervised youngsters.

Social programs and media publicity may provide a few temporary answers to this dilemma, but they can never replace what still remains the best weapon we possess—a caring and watchful parent.

(Lynn Ketrakis is a housewife and freelance writer who lives in Allentown.)

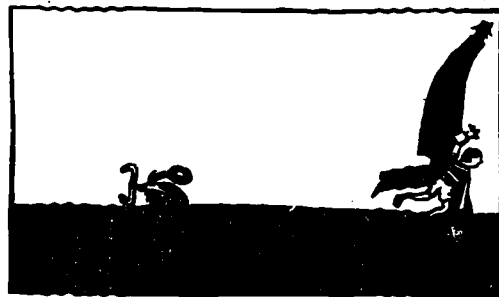
mayor attempt to table a bill that would have imposed such a ban statewide. (Kentucky ranks third in the nation's production of primary aluminum.)

Coke, for its part, prefers not to speculate on the fate of the plastic container. The company will say only that it is concentrating "on plastics collection and recycling systems" and that it will "not commercially market the new plastic packaging until key recycling issues . . . are resolved."

As I mentioned at the outset, there are no real villains in this story, and that is the point. Recycling is by and large a good thing. The profit motive is by and

large a good thing. A social conscience in the corporate boardroom is by and large a good thing. But sometimes good things bump into one another in unexpectedly bad ways. This is a feature of life in America that continually takes us by surprise. We tend to be vigilant when it comes to archfiends and evil motives. We are accustomed to catastrophes that come in CinemaScope and with Dolby sound. But we are not very watchful of the ordinary—of the small conflicts among desirable goals in which most larger-than-life calamities have their sources.

—William Rathje



CRIME THE CHILDREN'S CRUSADE

Although the statistics on missing children are plentiful, few are backed by hard research

MOST AMERICANS ARE ACQUAINTED with the issue. The smiling faces of missing—presumably abducted—youngsters peer out from milk cartons, from grocery bags and utility bills, from fast-food cups, from congressional mail. NBC has broadcast several docudramas in recent years: *Missing I*, *Missing II*, *Missing III*, and *Adam*, a movie about the abduction and slaying of six-year-old Adam Walsh in 1981. (The network has aired *Adam* twice since its debut, in the fall of 1983. A sequel—*Adam: His Song Continues*—is in production.) In March

2,800 shopping malls participated in a week-long drive to fingerprint 10 million children, thus making it easier for police officers to search if any of those children subsequently disappear.

Accounts in newspapers and magazines as well as on television have given credence to the claims that 1.8 million children are missing and that tens of thousands of these missing children were abducted by strangers. On the heels of such claims have followed others: that 1.5 million children are involved every year in prostitution or child pornography (*USA Today*); that some 2,500 unidentified children are buried every year in potter's fields (Senator Arlen Specter).

Americans have, naturally, reacted to such reports with alarm. Police departments are conducting campaigns to fingerprint children in their jurisdictions. Board games and children's books designed to alert youngsters to the potential threat posed by strangers are on the shelves. Entrepreneurs offer missing-child insurance, to protect policyholders

against the catastrophic costs of trying to recover a lost child. During the past five years numerous "child-find" organizations—as well as a federally subsidized information clearinghouse, in Washington, D.C.—have sprung up across the country to assist parents and police departments. In March more than 700 members of child-find groups and law-enforcement agencies took part in the first National Conference on Missing and Exploited Children, at the Chicago Hilton and Towers Hotel. For four days they attended workshops and seminars with titles like "The Victim's Trauma," "Courtroom Techniques," and "Profile of a Pedophile."

The child-find business is a far-flung enterprise. It includes government agencies, private volunteer groups, and for-profit companies. Their concerns are various. What has become increasingly clear, however, is that the nature and scope of the problems they seek to address are really not known. Although statistics are plentiful, few are backed by hard research. A series of articles in *The Denver Post* in May of 1983 first called some of the commonly recited data into question. In the months since then the claims put forward by some groups have become a good deal less sensational. A report on missing children released in March by the Department of Justice declares that no precise figures exist.

In the absence of firm information, child-find groups are at odds with one another over which categories of missing children merit priority. Some believe that the emphasis on abductions (and murders) of children by strangers distracts law-enforcement agencies and the public from a more common crime against children—abductions by parents. With the appropriation in 1984 of federal funds and the increased availability of corporate money that has followed, the debate has turned into a squabble.

MISSING CHILDREN HAVE BEEN high on the nation's agenda since the early 1980s. To be sure, the problem has been around for a lot longer. Social workers and police officers have been grappling for years with cases of runaway and kidnapped children. During the 1970s, as divorce rates climbed, several private groups, among them Children's Rights of New York, began to confront the growing problem of abduction of children by non-custodial parents. But

the issue of missing children became fixed in the public imagination not by runaways or parental abductions but by a series of tragic episodes that began in 1979.

In May of that year six-year-old Evan Patz, on his way to school, disappeared off the streets of New York City. There was no ransom note, and no clues were found. Newspapers all over the country carried the story. Two months later the police in Atlanta discovered the body of fourteen-year-old Edward Hope Smith, the first of the Atlanta Child Murders; twenty-eight apparent victims. The killings would continue for two years, until the arrest of Wayne P. Williams, in June of 1981. The following month six-year-old Adam Walsh disappeared from the toy department of a Sears outlet in Hollywood, Florida. After a highly publicized two-week manhunt—the largest in South Florida's history—police found the little boy's head floating in a canal in Vero Beach.

In October of 1981 Paula Hawkins, Florida's first-year Republican senator and the chairman of the Subcommittee on Investigations and General Oversight of the Senate Committee on Labor and Human Resources, convened the first of a series of congressional hearings on missing children. Hawkins invited John Walsh, Adam's father, and Julie Patz, Evan's mother, to testify. In her opening statement Hawkins said, "We simply do not know how many children disappear from their families each year. The estimates are as high as 1.8 million children per year." John Walsh said, "Fifty thousand children disappear annually and are abducted [by strangers] for reasons of foul play." Both statistics have been cited repeatedly over the years in congressional testimony and in press reports.

Where did the numbers come from? Hawkins's statement at the 1981 hearings was prepared by the subcommittee's chief counsel, Jay Howell. Howell says he got the statistic "1.3 to 1.8 million" from the Department of Health and Human Services (HHS). But according to Michael Ambrose, the director of the division of the department which manages the runaway- and homeless-youth program, "It's possible that someone said that over the phone, but it was never an official position of the department." Ambrose says that the figure the department uses now is "more than a million." The 50,000 abductions cited by Walsh is a guessimate. According to

Walsh's testimony, he arrived at the number "after contacting and speaking with" representatives of child-find organizations around the country. The Federal Bureau of Investigation cannot confirm Walsh's estimate. In 1983 the FBI investigated only fifty-six instances of children abducted by strangers. (The number investigated by the Bureau in 1981 was thirty-five.)

Two studies conducted long after the congressional hearings seem to bear out the estimate cited by Hawkins that 1.8 million children disappear annually. The first is a review of assorted local data, issued in 1983 by the Department of Health and Human Services, which concludes that there are "1,155,384 runaway/homeless youths annually in the U.S." (The department defines "homeless youths" as "those who have no parental or substitute foster or institutional home.") The second is a survey conducted in 1983 by Richard J. Gelles, who is a sociologist at the University of Rhode Island, and Louis Harris and Associates which suggests that as many as 626,000 children a year are snatched by one of their parents. Taken together, these research findings yield a total of roughly 1.8 million.

Although the number of runaways and homeless children indicated by the HHS study is disturbing, these children tend to be older than abducted children. (FBI figures indicate that 90 percent of them are at least thirteen), and thus they are presumably better equipped to take care of themselves. Moreover, it is wrong to think of the "runaway" component of this category either as permanently lost or as all lost at the same time. Most runaways return, and do so rather quickly. William Trench, the executive director of the American Youth Work Center, in Washington, D.C., estimates that at least half of all runaways are routine cases—kids who squabble with their parents, live with a friend for a day or two, and then go home. A study conducted in California in 1984 suggests that about 50 percent of all runaways return to their families or guardians within a week and that 97 percent do so within a month. The homeless—children who do not return—are, of course, cause for serious concern. Their ranks include the three percent of runaways who stay away longer than a month; "throwaways," whose parents or guardians forced them to leave; children fleeing foster care; and adolescents discharged from residential schools and psychiatric hospitals.

How many such children there are at any given time remains a matter of speculation.

Children abducted by a parent tend to be very young—too young, in most cases, to use the telephone and call for help. Again, no one really knows how many such kidnappings occur. The 1983 study by Richard Gelles and the Harris Poll was based on interviews with 3,745 adults nationwide. Of these respondents fifty-five reported "personal involvement in an incident of [parental] child snatching in the previous 12 months." The Gelles/Harris study applied that rate to the 83.5 million households in the United States in 1982 and projected that if an average of five households are involved in each episode of child snatching, then one should expect 333,000 such episodes a year. Richard Gelles notes in his report on the study, published in the August, 1984, *Journal of Marriage and the Family*, that if "the least number of households that can be involved is two, then the highest estimate of parental child snatching is 626,000." Parental abductions are a serious problem, but it is difficult to credit numbers as high as these. Gelles himself says, "Far from the last word, the study is only the first word. I don't make much out of the numbers. It's not a definitive incident study."

The third and by far the smallest group of missing children is the one that has received almost all of the attention: those abducted by strangers. The FBI investigates fewer than a hundred such abductions every year. Skeptics think that the FBI's numbers are probably low, for two reasons. They argue that some police departments fail to report all abductions to the FBI, and that the FBI's definition of an abduction is too narrow. In defense of the FBI's statistics, spokesmen for the Bureau, William Carter, says, "Any reputable police department will contact us." Moreover, he says, what defines an abduction as such is "a foggy issue." For example, he says, "If a young girl is grabbed, thrown into the bushes, and molested, some people would call it an abduction, but it seems more precise to call it a rape. That's how we would classify it." Even if the FBI's information is incomplete, the wide discrepancy between the fifty-six kidnappings that the Bureau investigated last year and the estimates in the tens of thousands put forward by Walsh (and others) makes those estimates difficult to accept.

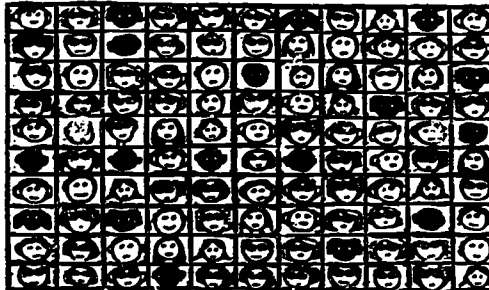
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ALTHOUGH ABDUCTIONS of children by strangers are relatively rare, they are horrifying and thus widely publicized. It was largely in response to a perceived epidemic of such abductions—and not because of the lingering problem of runaways, or the growing one of child-snatchings by parents—the Congress in 1984 passed the Missing Children's Assistance Act and enjoined the Justice Department to conduct an "incident survey" to shore up the data base on missing children. A pilot study for such a survey is being conducted now by the Northwestern University Survey Laboratory, which is under contract to the Justice Department, with help from the Illinois Department of State Police. The incident survey's results will not be available until 1988 at the earliest.

The same year in which the Missing Children's Assistance Act was passed, the National Center for Missing and Exploited Children was established, with the aid of funds from the Justice Department. The Center occupies one and a half floors of a modern office building in Washington, D.C. It functions as a private non-profit corporation, though it is closely linked to the Department of Justice. Jay Howell, the former chief counsel to Secretary Hawking's Investigations Subcommittee, is the executive director of the organization, which has a paid staff of forty-eight. The center has so far received some \$1.4 million in federal funds. It operates a nationwide toll-free missing-child hotline, provides "technical assistance" and training to law-enforcement agencies, advises state legislatures, and publishes pamphlets for parents to help promote child safety. Among other things, the National Center urges parents to maintain up-to-date photographic, dental, medical, and fingerprint records of their children. Although the center essentially serves not as a child-find agency but as an information clearinghouse, Howell insists that from October of 1984 to March of 1986 it "assisted in finding" some 3,500 children, seventy-three of whom, he says, had been abducted by strangers. (Thirty-one of the children abducted by strangers were found dead.)

In the absence of a definitive nationwide study of missing children, the National Center has had little choice but to cite the various estimates in circulation. The center accepts federal estimates of the number of runaways and homeless children. It says that estimates of the number of parental kidnappings vary



from 25,000 to more than 750,000, and warns that "no surveys . . . have gained widespread approval or support." Finally, the center reports that plausible estimates of the number of children abducted by strangers range from 4,000 to 20,000. These figures include abductions that may last for only a few minutes or hours.

The National Center is the most publicized effort in behalf of missing children, but many other groups are also active. The National Child Safety Council, based in Jackson, Michigan, is perhaps the best-known child-safety organization in the country. Founded in 1955 by H. R. Wilkinson and his wife, Glennia, it meets its annual budget of \$4 million through contributions. The council distributes some 750 tons of pamphlets, brochures, and teaching aids every year on how to protect children from a variety of threats—cigarettes, drugs, and bicycle accidents, for example. The council has only recently made kidnappings a priority.

The Wilkinsons initiated the campaign to put photographs of abducted children on milk cartons and shopping bags. As of this spring photographs had appeared on some three billion milk cartons and an even larger number of paper bags. Yet the council cannot confirm that its campaign, by itself, has brought home a single child. Also, coming up with enough of the "right" kinds of children for display on the cartons and bags—not runaways, not children taken by a parent—has proved difficult. Gaylord Wolker, the council's director of national programs, says, "The problem has been getting kids into the category where we can call them children abducted by a non-family member."

These simply are not all the many such children. The several billion photographs circulated by the Child Safety Council have all been of the same 100 children.

The third most prominent group is the Adam Walsh Child Resource Center, in Fort Lauderdale, Florida. On a \$400,000 annual budget, the Adam Walsh Center employs twelve full-time staff members based in Florida, New York, Ohio, and California. Like other groups, the Adam Walsh Center distributes literature, arranges lectures and school programs, and sponsors fingerprinting drives. John Walsh is the president of the center's board of directors. Poised and articulate, Walsh is the great communicator of the child-find movement. He is not a master of subtlety, however. "This country is littered with mutilated, decapitated, raped, and strangled children," he once told a congressional committee. Walsh's partisans point out that he was instrumental in setting up the National Center and that he has lobbied effectively for tougher child-abuse laws. His detractors decry his "horror stories" as needlessly frightening to parents and children.

In addition to the three largest groups, roughly a hundred other private voluntary organizations, or PVOs, are involved in the child-find cause. More than a few of these have been fly-by-night businesses set up by entrepreneurs to cash in on the public's fear. Most are legitimate concerns. Many were established by men and women who have endured the loss of a child. Children's Rights of New York, for example, was set up in 1977 by John Gill, a professor of English at Suffolk County Community College, after his ex-wife

abducted their six-year-old daughter and fled to Iceland. (She later surrendered the child.) The Vanished Children's Alliance was established in 1980 by Georgia Hilgeman, in Los Gatos, California, after her ex-husband abducted their thirteen-month-old daughter. (Hilgeman, too, removed her child.)

Most PVOs are less concerned with abductions by strangers than with the more common abductions by parents. The stock in trade of the PVOs, like that of the bigger groups, is education, counseling, and lobbying for protective legislation. Although some PVOs, such as the Society for Young Victims, in Newport, Rhode Island, and Texas Child Search, in San Antonio, claim to have helped locate missing children (dead and alive), they say that to protect the privacy of the families they will not disclose the children's names. As a result their claims are often difficult to substantiate.

THE FRATERNITY OF child-find groups may be united by a common purpose but it is also riven by disputes over money and turf. Many PVOs regard the National Center for Missing and Exploited Children as a jockey-come-lancey that has not only siphoned every federal and corporate money but also adopted a patronizing attitude toward groups that were laboring on the front lines before the center even existed. Hilgeman complains, "Groups like mine are starving for money. We've been around a lot longer than the National Center, and we're getting the shaft." Jo Ann Carrier, the president of Child Keyppers, in Lake Worth, Florida, says, "Because the center's address is in Washington, and because it is national, the corporations think it's the end-all." Carrier points to a campaign by Dole Foods recently to raise \$250,000 for the National Center. Last September 15 Dole added a two-page flyer to 43 million Sunday newspapers. The advertisement displayed a picture of President Reagan asking Americans to "help us find our missing children." Each insert included coupons offering discounts on Dole products. For every redeemed coupon Dole promised to send the National Center five cents. To create what Dole's advertising agency referred to as "extra drumroll," Dole asked local groups, including Carrier's Child Keyppers, to boost the campaign by distributing posters of missing children to local grocery stores. Carrier and the leaders of other PVOs are disgusted

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that their groups did not receive any of the \$250,000, which Dole presented to the National Center in January. "And to think that I used to eat their frozen banana bar," she says.

Last fall the Justice Department awarded a grant of \$383,203 to a Denver-based consulting firm, the Institute for Non-Profit Organization and Management, to teach PVOs how to manage what money they have and how to raise more. INPOM plans to run sixteen three-day seminars around the country over the next two years; assisting its efforts will be the Adam Walsh Child Resource Center, which has received a \$115,000 subcontract. The plan infuriates Carrier and other PVO leaders. For one thing, the seminars will get under way just as the National Center steps up its own campaign to raise a \$20 million endowment—directed at the same sources on which local groups must rely. "Why not just give us the money, so we can pay our phone bills?" Carrier asks. "By the time they get around to teaching us how to make money, there won't be any more to get."

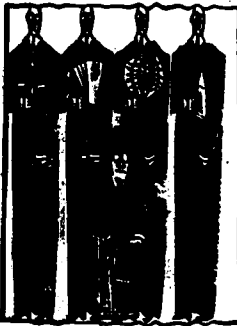
At the conference on missing children in Chicago in March thirty local child-find groups established the National Association of Missing Child Organizations. NAMCO has noble objectives—such as developing professional standards for child-find groups and sharing information and other resources—but it also represents a challenge to the National Center for Missing and Exploited Children. NAMCO's members have their eyes on the federal and corporate money that is now going almost exclusively to the National Center.

However the local and national groups resolve their differences, the problem of missing children needs to be put in perspective. A trustworthy survey of missing children by category is a much-needed first step. Closer scrutiny of the numbers by everyone involved—child-find organizations, law-enforcement agencies, and the press—is essential if we are ever to know the true dimensions of the problem and what to do about it. Beyond that, certain changes in basic law seem long overdue. The report on missing and exploited children released by the Department of Justice in March makes a number of recommendations. One is to classify abductions by non-custodial parents as felonies rather than misdemeanors—a move that could deter such abductions and that would compel the states to extradite offenders.

Another is to repeal state and local laws forbidding the police to detain runaway and homeless children. Such laws, passed in response to the Act of Congress in 1974, were intended to preserve the rights of children. According to the Justice Department's report, the fault has been so "yet [children] live to a life on the street."

Arguably, milk-carton campaigns and frightening press reports have served a purpose by catching the country's attention. But more children might be helped by efforts that make life better.

—Neil Spinier



BUREAUCRACY

A MINISTERIAL PORTFOLIO

The Ministry of Justice, the Ministry of Friendly Societies, and other offices along the corridors of power

ONE OF PARKINSON'S LAWS holds that the ideal government cabinet contains just five members. One of them knows the law, one knows finance, one knows foreign policy, and one knows defense. The fifth member, the one who has failed to master any of these subjects, usually becomes the Prime Minister. Over time, however, other officials, representing other interests, will seek to join the cabinet, and it often proves easier to let them in than to keep them out. As a result, cabinets tend to get larger and larger.

Americans will recognize the truth of

this. The first cabinet of the United States, in 1789, had exactly the four secretaries that Parkinson prescribed. The cabinet grew to eight by the end of its first century and stands at thirteen as it approaches the end of its second. A nice case for Parkinson. Still, the United States is cabinet-poor compared with most countries. On average, each of the world's 174 national governments employs twenty-five cabinet-level ministers. These 4,300 officials are identified and paired with their portfolios in a bi-monthly publication called *Chief of State and Cabinet Members of Foreign Governments*, which is put out by the Central Intelligence Agency.

According to the CIA, only a handful of foreign states have smaller cabinets than the United States, many of them theocracies and principalities. The tiniest belongs to the Vatican, which lists only two cabinet-level officials—one of them the Pope. Monaco and Liechtenstein also have modest bureaucratic needs. Monaco goes along with a Council for Interior, Finance, and Economics, and one for Public Works and Social Affairs. Liechtenstein deems sufficient the generic Departments of Agriculture, Health, and Welfare. The seven ministers in the ancient realm of Bhutan include the King, Jigme Singye Wangchuck, and two princesses. This is clearly no storybook kingdom: the princesses are in charge of Development and Finance.

As one might expect, Communist regimes are at the opposite end of the bureaucratic scale, employing whole hordes of ministers. Romania has sixty-three ministers and Vietnam has forty-eight. Communist North Korea has fifty (to South Korea's twenty-four), and East Germany forty-five (as against West Germany's eighteen). The Soviet Union has a vast cabinet of 135 officers, the largest number of any state, in charge of carefully allocated responsibilities. Eleven ministries deal with machine building alone: the Ministry of Machine Building for Light and Food Industry and Household Appliances, of Medium Machine Building, of Heavy and Transport Machine Building, of Chemical and Petroleum Machine Building, of Construction, Road, and Municipal Machine Building, of Machine Tool and Tool Building Industry, of Power Machine Building, of Tractor and Agricultural Machine Building, and of Machine Building for Animal Husbandry and Fodder Production. With all these, what

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Mr. KILDEE. Mr. Walker.

Mr. WALKER. My name is Gaylord Walker, and I am the director of public affairs for the National Child Safety Council (NCSC). I also serve as a member of the board of directors and executive secretary for the National Association of Missing Children Organizations (NAMCO) of which the National Child Safety Council was a founding member.

NCSC is a 30-year-old 501(c)(3) State and Federal tax-exempt charitable organization with over 100 full-time employees. NCSC serves over 7,000 communities each year, working with police and sheriff departments to provide quality safety education and prevention programs for school children. NCSC is the oldest and largest organization in the world dedicated entirely to the safety of children. We first addressed the issue of missing children some 30 years ago.

I would like to take this opportunity to introduce Mr. H.R. Wilkinson, the president and founder of the National Child Safety Council, who was recently referred to as the father of child safety.

Mr. KILDEE. Thank you very much. We welcome Mr. Wilkinson here this morning.

Mr. WALKER. NAMCO was formed in early February 1986 and presently has 18 members with at least 20 more applications pending.

The members of NAMCO are those agencies that have been and are truly this Nation's first line of defense against the tragedy of missing children. For example, our officers have 9, 10 and 11 full-time years of experience in this field. Each was touched personally by this tragedy.

I would like to deviate here for a minute and say one of the—I have included in the written testimony the requirements for membership in NAMCO, and I would like to make a part of the spoken record here we agree totally with Mr. Clark in that efforts have to be done by both the private organizations and by the State attorneys general and other law enforcement agencies to drive the fly-by-nights and profiteers from this area.

For many years prior to the passage of the Missing Children's Assistant Act, they worked with law enforcement to actively search for and locate missing children, provided counseling and support to the parents of missing children, provided counseling to located children and their families, and conducted public awareness, education and prevention programs. Many maintained and manned 800 phones across the country for sighting and information calls.

Many of these agencies provided files and data and systems to the National Center, and they continue to do so today. The National Center found this information to be very useful in setting up its own procedures and systems and continues to do so today.

Today, some things have changed, thanks certainly in part to the leadership of this subcommittee and its chairman. Our statistics are becoming more reliable, but nonetheless missing, vulnerable and at risk. We now understand that parental abductions are far more frequent than abductions by unknown persons, yet dangerous to the child. Today we also know that a majority of abductions by non-family members are not reflected in our national statistics.

During the 2 years since the enactment of this legislation, it appears that almost all of the emphasis has been placed on law enforcement. Section 404(b)(2)(A) lists agencies to be aided as follows: local and State governments, public and private nonprofits and individuals. One must assume that the priorities were mandated in the order mentioned, not as a mandate that all were equally important. A perfect example of this is the myriad of proposed legislation which I believe is now before this subcommittee dealing with the issue of State clearinghouses. While there are presently several States with well functioning clearinghouses operating without Federal funds, there still remains the question as to the necessity for a clearing house in each State. These bills also mandate education and prevention programs. This is something that is already being done by the police, sheriffs, State police, and schools in conjunction with the private nonprofits. With all that needs to be done, the last thing we need to do is duplicate efforts.

I would like to point out a general misconception that is spelled out in proposed H.R. 604. In section 241(5) "State and local law enforcement agencies can work with the Department of Justice's National Clearinghouse for Missing and Exploited Children." The NCMEC is a private, 501(c)(3) tax-exempt, charitable not-for-profit organization operating under a cooperative agreement with the Justice Department. In section 423(b)(1)(G) of H.R. 604, this proposed legislation mandates that "to qualify for the grant for any fiscal year under this part, a State shall work with the National Center for Missing and Exploited Children." We question the propriety of giving any private organization fiscal control over law enforcement agencies. One should study carefully whether the \$2 million a year proposed in H.R. 604 could not be better used, at least in part, to provide funds for the private nonprofit organizations.

The problem of missing and exploited children is not only a law enforcement problem, nor is it only a social problem. It will take the combined efforts of both sectors to effectively combat this national tragedy. The grants envisioned by Congress to strengthen private volunteer organizations in their respective efforts to serve missing children are among the most important in any strategy to reduce the problem, especially with regard to abducted children. If our efforts begin with law enforcement, we begin too late. We begin too late for those children who tragically will never be found or reunited with their families. We begin too late for those who are the victims of foul play. The damage has been done. Even for those who are found and reunited, the emotional damage will likely remain with them for the rest of their lives. For those, too, we begin too late if law enforcement is our starting point. We must do more than search and retrieval.

In section 406 of the act, Congress specifically authorized grants and contracts with public agencies or private nonprofit organizations for research, demonstration projects, or service programs. In section 406(b), Congress specifically instructed that priority be given to applicants who possessed demonstrated ability in locating missing children and reuniting them with their families, providing other services to missing children and their families, conducting research relating to missing children, or utilizing volunteer assistance.

Congress envisioned grants to private groups, utilizing their skills and experience, which it was hoped would keep damage from occurring in the first place. We, the nonprofits, have in place community education and awareness programs which inform and educate children without frightening them. These programs have been expanded and improved continually without any Federal assistance.

In section 406, the law also recognizes the importance of developing treatment for those who are abducted or exploited.

Families need assistance both during the period of disappearance and after the child is recovered. The trauma for the child kidnaped by a stranger can last a lifetime.

But children are also emotionally victimized by snatchings carried out by estranged parents, a point often overlooked. It is simply not enough to find them and send them home as if nothing has happened. Many of our organizations have hands-on experience in some or all of these areas which, after appropriate testing and evaluation, could be replicated nationally with little additional federal cost.

Mr. Chairman, there are many more things right than wrong with our new Federal initiative regarding missing and exploited children. The legislation developed in 1984 is excellent.

The program, as I mentioned earlier, appears to have been heavily prioritized towards law enforcement. While we continue to strengthen law enforcement, the time has come to direct more attention and funds to the authorities that are stipulated in section 406.

As a result of a grant made to the Institute for Nonprofit Organization Management [INPOM], the private nonprofits have had available to them excellent training sessions.

In addition, grants ranging from \$3,000 to \$25,000 will be made to qualified agencies. This should be considered a starting point, not the end of assistance to the private nonprofits.

The creation of the National Center may have been necessary because of the special skills and services required.

However, establishing the NCMEC as a 501(c)(3) charitable organization follows an all too frequent, and, we feel, dangerous pattern.

The Federal Government has created several charitable nonprofit organizations over the past few years. These Federal charities are funded with Government money, and often have several government staff people assigned to liaison, supervise and work with each organization.

This creates the illusion of less Government, but is this really the case? Our Federal Government has seen fit to enter the charities field, providing these Federal nonprofits with quasi-governmental and quasi-law enforcement authority, and then demanding these agencies compete with private charitable organizations for the limited number of dollars available in the nonprofit marketplace.

Very often, these federally funded charities, with all of their built-in advantages, are required to compete for dollars against the very organizations they were founded to aid and assist.

In our form of Government, it is impossible to have the Government involved without having politics play a role.

This could lead to people being appointed to positions of authority and responsibility not because of the charitable purpose but for political reasons; 501(c)(34) is mandated by law to be nonpolitical. Thus concerns for governmental charities, and the illusion that is generated by their creation.

In the future, we could encourage the Congress and other branches of Federal Government to explore the existing private nonprofits who may have necessary capabilities already in place, and could expand their services with much smaller Federal grants than would be required to start a new agency.

If it is determined that a new agency is needed, we feel that this new agency's activities should be limited by law to the specific purpose for which it was created.

For example, a drug agency need not expand into the area of missing children; a crime prevention agency need not grow into water safety; and a missing children's organization need not expand into general home or school safety, such as drugs, bicycle safety, whatever.

We do not need more duplication of effort.

In closing, I would like to say that our movement is filled with people who are totally committed. Many involved have been touched by the tragedy personally. Beliefs and dedication are the norm—not the exception.

These people deal daily with tragedies that most people are not even aware of. They are more overworked, more overwhelmed, more overloaded and more underfunded than they were prior to the passage of the Missing Children's Assistance Act 2 years ago.

In short, the private nonprofits are in worse shape today than when the legislation was enacted.

Yet, we will continue to serve the children and parents of this country. We were doing so before Federal involvement, and will continue should Federal interest wane.

But we could serve so much more effectively if given more opportunities to work with this Federal program, as we believe Congress intended.

We have experience and skills that no other service providers possess and we are anxious to share them. There is much to be done, and only by all sectors working together can we attain that common goal for which all of us are working, to preserve and protect our Nation's greatest resource—our children.

Thank you.

[The prepared statement of Gaylord T. Walker follows.]

PREPARED STATEMENT OF GAYLORD T. WALKER, NATIONAL CHILD SAFETY COUNCIL,
JACKSON, MI

MR. CHAIRMAN and Members of the Subcommittee, my name is Gaylord Walker and I am the Director of Public Affairs for the National Child Safety Council (NCSC). I also serve as a member of the Board of Directors and Executive Secretary for the National Association of Missing Children Organizations (NAMCO) of which the National Child Safety Council was a founding member.

NCSC is a 30 year old 501(c)(3) state and federal tax exempt charitable organization with over 100 full time employees. NCSC serves over 7,000 communities each year, working with police and sheriff departments to provide quality safety education and prevention programs for school children. NCSC is the oldest and largest organization in the world dedicated entirely to the safety of children. We first addressed the issue of missing children some 30 years ago.

NAMCO was formed in early February of 1986, and presently has eighteen (18) members with at least twenty (20) more applications pending.

The members of NAMCO are those agencies that have been and are truly this nation's first line of defense against the tragedy of missing children. For example, our officers have 9, 10 and 11 full time years of experience in this field. Each was touched personally by this tragedy.

For many years prior to the passage of the Missing Children's Assistance Act, they worked with law enforcement to actively search for and locate missing children; provided counseling and support to the parents of missing children; provided counseling to located children and their families; and conducted public awareness, education and prevention programs. Many maintained and manned 800 phones across the country for sighting and information calls.

Many of these agencies provided files and data and systems to the National Center and they continue to do so today. The National Center found this information to be very useful in setting up its own procedures and systems and continues to do so today.

Today, some things have changed, thanks certainly in part to the leadership of this subcommittee and its chairman. Our statistics are becoming more reliable. We now know that the overwhelming majority of missing children are runaways — but nonetheless missing, vulnerable and at risk. We now understand that parental abductions are far more frequent than abductions by unknown persons, yet dangerous to the child. Today, we also know that a majority of abductions by non-family members are not reflected in our national statistics.

During the two years since the enactment of this legislation, it appears that almost all of the emphasis has been placed on law enforcement. Section 404(b)(2)(A) lists agencies to be aided as follows: "and state governments, public and private nonprofits and individuals. One must assume that the priorities were mandated in the order mentioned, not as a matter of fact that all were equally important. A perfect example of this is the myriad of proposed legislation which I believe is now before this subcommittee dealing with the issue of state

clearinghouses. While there are presently several states with well functioning clearinghouses operating without federal funds, there still remains the question as to the necessity for a clearinghouse in each state. These bills also mandate education and prevention programs. This is something that is already being done by the police, sheriffs, state police, and schools in conjunction with the private nonprofits. With all that needs to be done, the last thing we need to do is duplicate efforts.

I would like to point out a general misconception that is spelled out in proposed HR 604. In section 241(5) "State and local law enforcement agencies can work with the Department of Justice's National Clearinghouse for Missing and Exploited Children." The NCMEC is a private, 501(c)(3) tax-exempt, charitable not-for-profit organization operating under a cooperative agreement with the Justice Department. In section 423(b)(1)(G) of HR 604, this proposed legislation mandates that "to qualify for a grant for any fiscal year under this part, a state shall work with the National Center for Missing and exploited Children." We question the propriety of giving any private organization fiscal control over law enforcement agencies. One should study carefully whether the two million dollars a year proposed in HR 604 could not be better used, at least in part, to provide funds for the private nonprofit organizations.

The problem of missing and exploited children is not only a law enforcement problem, nor is it only a social problem. It will take the combined efforts of both sectors to effectively combat this national tragedy. The grants envisioned by Congress to strengthen private volunteer organizations in their respective efforts to serve missing children are among the most important in any strategy to reduce the problem, especially with regard to abducted children. If our efforts begin with law enforcement, we begin too late. We begin too late for those children who tragically will never be found or reunited with their families. We begin too late for those who are the victims of foul play. The damage has been done. Even for those who are found and reunited, the emotional damage will likely remain with them for the rest of their lives. For those, too, we begin too late if law enforcement is our starting point. We must do more than search and retrieval.

In section 406 of the Act, Congress specifically authorized grants and contracts with public agencies or private nonprofit organizations for research, demonstration projects, or service programs. In section 406(b), Congress specifically instructed that priority be given to applicants who possessed demonstrated ability in locating missing children and reuniting them with their families, providing other services to missing children and their families, conducting research relating to missing children, or utilizing volunteer assistance.

Congress envisioned grants to private groups, utilizing their skills and experience, which it was hoped would keep damage from occurring in the first place. We, the nonprofits have, in place, community education and awareness programs which inform and educate children without frightening them. These programs have been expanded and improved continually without any federal assistance.

In Section 406, the law also recognizes the importance of developing treatment for those who are abducted or exploited. Families need assistance both during the period of disappearance and after the child is recovered. The trauma for the child kidnapped by a stranger can last a lifetime. But children are also emotionally victimized by snatchings carried out by estranged parents, a point often overlooked. It is simply not enough to find them and send them home as if nothing has happened. Many of our organizations have hands-on experience in some or all of these areas which, after appropriate testing and evaluation, could be replicated nationally with little additional federal cost.

Mr. Chairman, there are many more things right than wrong with our new federal initiative regarding missing and exploited children. The legislation developed in 1984 is excellent. The program, as I mentioned earlier, appears to have been heavily prioritized towards law enforcement. While we continue to strengthen law enforcement, the time has come to direct more attention and funds to the authorities that are stipulated in section 406.

As a result of a grant made to the Institute for Nonprofit Organization Management (INPOM), the private nonprofits have had available to them excellent training sessions. In addition, grants ranging from \$3,000 - \$25,000 will be made to qualified agencies. This should be considered a starting point, not the end of assistance to the private nonprofits.

The creation of the National Center may have been necessary because of the special skills and services required. However, establishing the NCMEC as a 501(c)(3) charitable organization follows an all too frequent, and, we feel, dangerous pattern. The federal government has created several charitable nonprofit organizations over the past few years. These federal charities are funded with government money, and often have several government staff people assigned to liaison, supervise and work with each organization. This creates the illusion of less government, but is this really the case? Our federal government has seen fit to enter the charities field, providing these federal nonprofits with quasi-governmental and quasi-law enforcement authority, and then demanding these agencies compete with private charitable organizations for the limited number of dollars available in the nonprofit market place. Very often, these federally funded charities, with all of their built-in advantages, are required to compete for dollars against the very organizations they were founded to aid and assist.

In our form of government, it is impossible to have the government involved without having politics play a role. This could lead to people being appointed to positions of authority and responsibility not because of the charitable purpose but for political reasons. 501(c)(3)s are mandated by law to be non-political. Thus our concerns for governmental charities, and the illusion that is generated by their creation.

In the future, we would encourage the Congress and other branches of federal government to explore the existing private nonprofits who may have necessary capabilities already in place, and could expand their services with much smaller federal grants than would be required to start a new agency. If it is determined that a new agency is needed, we feel that this new agency's activities should be limited by law to the specific purpose for which it was created. For example, a drug agency need not expand into the area of missing children; a crime prevention agency need not grow into water safety; and a missing children's organization need not expand into general home or school safety. We do not need more duplication of effort.

In closing, I would like to say that our movement is filled with people who are totally committed. Many involved have been touched by the tragedy personally. Beliefs and dedication are the norm - not the exception. These people deal daily with tragedies that most people are not even aware of. They are more overworked, more overwhelmed, more overloaded and more underfunded than they were prior to the passage of the Missing Children's assistance Act, two years ago. In short, the private nonprofits are in worse shape today than when the legislation was enacted.

Yes, we will continue to serve the children and parents of this country. We were doing so before federal involvement, and will continue should federal interest wane. But we could serve so much more effectively if given more opportunities to work with this federal program, as we believe Congress intended. We have experience and skills that no other service providers possess and we are anxious to share them. There is much to be done, and only by all sectors working together can we attain that common goal for which all of us are working, to preserve and protect our nation's greatest resource -- our children.

Thank You.

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Mr. KILDEE. Thank you very much.

Our next witness, Mrs. Ann D. Collins.

Mrs. COLLINS. Good afternoon, Chairman Kildee and members of the committee. I am honored to testify today before this committee.

On February 10, 1984, my 10-year-old son Kevin disappeared from a street corner in San Francisco (see attachment I). Immediately our world was turned upside down.

It is the most incomprehensible feeling to think that someone would kidnap your child from under your nose. We have 8 other children and they were also completely devastated.

It has been a long, hard struggle to get to where we are today. Everyone is functioning well and going on with their lives, but there will be a void in our family until Kevin is home with us again.

As soon as we made a report to the San Francisco Police Department we found out what happens to most families in these kinds of cases. Kevin was considered an automatic runaway.

We were very active in our school and church and the family was well known. Anyone who knew the Collins family told the police we were a stable, happy, loving family. Kevin's grades were improved and none of the children ever had a record of running away.

Even so, 7 days after his disappearance, the police were still asking our other children, where might Kevin hide in Golden Gate Park? It was so frustrating! I knew within an hour of his disappearance that something was terribly wrong, but I could not convey this to the detectives on his case.

We were appalled to learn that in June, 4 months after the disappearance, two detectives were assigned to conduct a manual search of a card file containing the records of 2,700 registered sex offenders. This took them 5 weeks of their time.

With all the problems we encountered, we still feel we were one of the lucky families. The community gave us wonderful support, and Kevin got a phenomenal amount of publicity—he was even on the cover of Newsweek magazine, March 19, 1984 (see attachment II).

Within 1 month of Kevin's abduction a psychologist came forward to offer his services to our family. We could not have made it without his support—but what of families who don't get this support from their community, friends and family?

They are left to struggle on their own. We immediately began to hear from other families who had children missing for years. They wanted to know if we could help publicize their children's missing status as we had Kevin.

Because of our frustrations with the San Francisco Police Department, and our concern for other families, we formed the Kevin Collins Foundation for Missing Children in May of 1984.

Very soon we began to learn how hard a policeman's job is. Most communities are strapped for money—the resources available to one detective are few or nil.

As an example, the detective on our case said one automobile had to be shared by three detectives, and there were few tape recorders, many not working.

It is ridiculous to think that one policeman can solve a case of this magnitude with so few resources. In Kevin's case the police department received thousands of leads and had to follow up on each one as best they could.

In many cases the child is moved out of the local jurisdiction and he/she is probably in another city or State. Many have been located out of State.

Local officers maintain files on local convicted criminals. Very few are computerized. It is unreasonable to think that a local police officer can run a county search, a statewide search or an interstate search. It would be tremendously expensive for each city to computerize their records and place them online.

Within a few days we wondered, why wasn't the FBI doing something? It is a normal reaction for any family in such a situation.

There are approximately 8,000 FBI agents in the United States to investigate all types of crimes. It is unreasonable to believe that the FBI can assist in so many kidnaping cases.

This brings me to the problem of statistics. In a 1983 report, (see attachment III) the FBI reported 68 cases which they conclusively determined that kidnaping existed. This doesn't say anything about the hundreds of cases where foul play was discerned but could not be proven, or the thousands of cases where an abduction was suspected, as in Kevin's case, but could not be proven. Just 68!

I would like to pause here for a moment and ask you to look around the room. When I came in I counted 110 people here. Picture what would happen if each of you were suddenly plucked from this room. Do you think you would be the only victim of this crime? You have families, friends and communities who would be horrified by such an act, and whose lives would all be irreversibly changed.

Have you ever been robbed or mugged, had jewelry or your wallet stolen? Think what it must be like to have your child taken! Even if it were true that 68 were confirmed missing in 1983, how could one say only 68? Not all things can be measured in numbers alone.

What are the reasons that good statistics are so hard to come by? One reason is because children who are kidnaped, missing for 1 day, 1 week, up to months and years, and are eventually found murdered, are dropped from the missing category when found.

Children who are taken for under 24 hours to be molested, or worse, do not show up as abducted or kidnaped. This is a true kidnaping by the definition of the law. Who speaks for these children and their families and the trauma they have suffered? As one mother of a murdered child said to me, Ann, my son is missing to me forever.

Fortunately, in the last couple of years some verifiable statistics have appeared:

In 1983, Canada reported 282 stranger abductions of juveniles 17 and under (see attachment IV). Excluded in this figure are those children who are known to be kidnaped, whether recovered or murdered. Kidnaped and abducted are different categories in Canadian law.

In 1984, Jacksonville, FL, and Houston, TX, together reported 211 kidnappings and 58 attempts by non-family members (see attachment V).

In 1985, the State of Illinois reports 1,319 children and 17 missing under circumstances indicating foul-play, involuntarily missing, and reported kidnaped or abducted (see attachment VI).

All of this leads to why we need comprehensive clearinghouses in each State. Let me define what I mean by clearinghouse, because we have found that people have very different ideas as to what is meant by missing children clearinghouse.

What we do not need is another group which is going to distribute pictures or flyers of missing children. We also feel that the primary value of a clearinghouse is not to passively catalog missing children cases, but to facilitate investigative analysis of molesters, abductors, and murderers of our children.

A clearinghouse should actively aid local, State, and Federal law enforcement in these very difficult cases, particularly ones in which interjurisdictional issues are involved.

Missing children is a family problem that requires a law enforcement solution.

Computer systems such as Illinois' I-Search, which at this point represents the current state-of-the-art tracking system, can collect data on missing children and suspects, analyze and compare that information with data on known convicted child murderers, kidnapers, and molesters and effect more efficient and speedy recoveries.

Currently, we do not have a clearinghouse in California, a State which appears to have one of the highest missing children rates in this country. Our law enforcement personnel are still doing tedious, inefficient and time-consuming manual searches of previous offender records.

Without an active computerized system like that in Illinois, it will be impossible to improve a pitifully low recovery rate of missing children. Currently we are sponsoring assembly bill 2791, which would.

The Northern California Juvenile Officers, (see attachment VII) the Department of Justice, Violent Crimes Division, many sheriffs associations and the department of corrections support the state-wide automated, investigative Missing Children's Information Center.

These are proactive solutions that are essential for the recovery and prevention of the abduction of children by strangers.

The American Missing Children's Foundation (formerly the Kevin Collins Foundation for Missing Children) is now working with 46 families of children abducted by nonfamily members.

Over the last 2 years we have been involved with seven short-term recoveries, and on July 10, 1986, Kristopher Michael Siegel, (see attachment VIII), a boy missing from his mother for 6 years, was recovered in Bangor, ME.

This was one of our most involved cases, and we spent many hundreds of hours on it. But Kris found himself by telling his best friend that he was a kidnaped child and that his abductor would go to jail if anyone found out.

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The friend told his godfather who was a policeman. He looked into the case and now Kris is home with his mother in southern California.

The abductor was a former babysitter. A psychologist from the University of California, San Francisco, and myself had the opportunity to fly down to meet Kris and his mother.

It confirmed something that we had always thought would happen on Kevin's return to his family. There is no such a thing as a happy ending in these cases. The best that can be said is that it is a happy beginning.

What is in store for this family? Is it possible to just pick up the pieces and go on as if nothing had happened? Of course not! This family will need a great deal of counseling to be integrated back into a family unit.

In August 1984 our family was fortunate to be invited to a seminar for families of missing children in Rochester, NY. This had not been done before. Families were brought together to play, discuss common problems and frustrations and to learn how others dealt.

I feel this was the turning point for our family, particularly for the children. They had the opportunity to meet other children who also had a sibling missing. They realized they were not the only ones in the world with this problem.

We saw families who had their children missing for many years who could not discuss their child without breaking down. They were still in the early stages of grief. They had not had the kind of support we were fortunate enough to receive.

The point I would like to make here is that practically nothing has been done in furthering our understanding of psychological consequences and its effects on these families.

What is it like to go on for months, years, not knowing if your child is alive or dead? It is particularly hard for the siblings of missing children. They feel abandoned by their parents and unloved in some cases.

We have seen cases where the parents just give up and move because they can't deal with their loss. I called a policeman to get the picture of a boy missing from Washington State. He said the family was in a precarious mental state and would disappear for months at a time. If he found their son he couldn't locate them!

In another case in Sonoma County, CA, I called to get the picture of a girl missing over 4 years. I asked the officer to contact the family on my behalf. He called in a few days to tell me the family didn't want to release her picture—every time they did it would set the younger son back again.

These are just a couple of examples of the problems these families face. They need help at the time of disappearance, over the long term waiting and in the event of recover—especially then.

The family unit has changed because of the tragedy, and the missing child also is a very different person from what he/she was at the time of the abduction.

There continues to be a pressing need for research on returned abductees to find out much more than we currently know about the kind of people who abduct children and for what purposes.

We feel that this kind of information would be very useful in helping law enforcement in dealing with both investigation and conviction in future cases.

Psychological consequences is an established priority. It has been over a year since the final program priorities have been set by Juvenile Justice. We are appalled by the delay in this most important area of counseling and research as it is related to missing children and their families.

Thank you.

Mr. KILDEE. Thank you very much.

[The prepared statement of Ann D. Collins follows:]

American Missing Children's Foundation

Formerly the Kevin Collins Foundation for Missing Children



STATEMENT OF ANN DEASY COLLINS, CO-PRESIDENT, AMERICAN MISSING CHILDREN'S FOUNDATION

Good morning Chairman Kildas and members of the committee. I am honored to testify today before this committee.

On February 10, 1984 my ten year old son Kevin disappeared from a street corner in San Francisco. (see attachment I) Immediately our world was turned upside down. It is the most incomprehensible feeling to think that someone would kidnap your child from under your nose. We have eight other children and they were also completely devastated. It has been a long, hard struggle to get to where we are today. Every one is functioning well and going on with their lives, but there will be a void in our family until Kevin is home with us again.

As soon as we made a report to the San Francisco Police Department we found out what happens to most families in these kinds of cases. Kevin was considered an automatic "runaway". We were very active in our school and church and the family was well known. Anyone who knew the Collins family told the police we were a stable, happy, loving family. Kevin's grades were improved and none of the children ever had a record of running away. Even so, seven days after his disappearance, the police were still asking our other children "where might Kevin hide in Golden Gate Park?" It was so frustrating! I knew within an hour of his disappearance that something was terribly wrong, but I could not convey this to the detectives on his case.

We were appalled to learn that in June, four months after the disappearance, two detectives were assigned to conduct a manual search of a card file containing the records of 2700 registered sex offenders. This took them five weeks of their time.

With all the problems we encountered, we still feel we were one of the lucky families. The community gave us wonderful support, and Kevin got a phenomenal amount of publicity--he was even on the cover of Newsweek magazine, March 19, 1984. (see attachment II) Within a month of Kevin's abduction a psychologist came forward to offer his services to our family. We could not have made it without his support--but what of families who don't get this support from their community, friends and family? They are left to struggle on their own. We immediately began to hear from other families who had children missing for years. They wanted to know if we could help publicize their children's missing status as we had Kevin.

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Because of our frustrations with the San Francisco Police Department, and our concern for other families, we formed The Kevin Collins Foundation for Missing Children in May of 1984. Very soon we began to learn how hard a policeman's job is. Most communities are strapped for money--the resources available to one detective are few or nil. As an example, the detective on our case said one automobile had to be shared by three detectives, and there were few tape recorders, many not working. It is ridiculous to think that one policeman can solve a case of this magnitude with so few resources. In Kevin's case the Police Department received thousands of leads and had to follow up on each one as best they could. In many cases the child is moved out of the local jurisdiction and he/she is probably in another city or state. Many have been located out of state.

Local officers maintain files on local convicted criminals. Very few are computerized. It is unreasonable to think that a local police officer can run a county search, a statewide search or an interstate search. It would be tremendously expensive for each city to computerize their records and place them on-line.

Within a few days we wondered, "why wasn't the FBI doing something?" It is a normal reaction for any family in such a situation. There are approximately 8000 FBI agents in the United States to investigate all crimes. It is unreasonable to believe that the FBI can assist in so many kidnapping cases. This brings me to the problem of statistics. In a 1983 report, (see attachment III) the FBI reported 68 cases which they conclusively determined that kidnapping existed. This doesn't say anything about the hundreds of cases where foul play was discerned but could not be proven, or the thousands of cases where an abduction was suspected, as in Kevin's case, but could not be proven. Just 68!

I would like to pause here for a moment and ask you to look around the room. When I came in I counted people here. Picture what would happen if each of you were suddenly plucked from this room? Do you think you would be the only victim of this crime? You have families, friends and communities who would be horrified by such an act, and whose lives would all be irreversibly changed. Have you ever been robbed or mugged, had jewelry or your wallet stolen? Think what it must be like to have your child taken! Even if it were true that 68 were confirmed missing in 1983, how could one say ONLY 68? Not all things can be measured in numbers alone.

What are the reasons that good statistics are so hard to come by? One reason is because children who are kidnapped, missing for a day, a week, up to months and years, and are eventually found murdered, are dropped from the missing category when found. Children who are taken for under 24 hours to be released, or worse,

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do not show up as abducted or kidnapped. This is a true kidnapping by the definition of the law. Who speaks for these children and their families and the trauma they have suffered? As one mother of a murdered child said to me, "Ann, my son is missing to me forever."

Fortunately, in the last couple of years some verifiable statistics have appeared:

In 1983, Canada reported 282 stranger abductions of juveniles 17 and under. (see attachment IV) Excluded in this figure are those children who are known to be kidnapped, whether recovered or murdered. Kidnapped and Abducted are different categories in Canadian law.

In 1984, Jacksonville, Florida and Houston, Texas together reported 211 kidnappings and 58 attempts by non-family members. (see attachment V)

In 1985, the State of Illinois reports 1,319 children 17 and under missing under circumstances indicating foul-play, involuntarily missing, and reported kidnapped or abducted. (see attachment VI)

All of this leads to why we need comprehensive clearinghouses in each state. Let me define what I mean by clearinghouse, because we have found that people have very different ideas as to what is meant by missing children clearinghouses. What we do not need is another group which is going to distribute pictures or flyers of missing children. We also feel that the primary value of a clearinghouse is not to passively catalog missing children cases, but to facilitate investigative analysis of molesters, abductors and murderers of our children. A clearinghouse should actively aid local, state and federal law enforcement in these very difficult cases, particularly ones in which interjurisdictional issues are involved. Missing children is a family problem that requires a law enforcement solution.

Computer systems such as Illinois' I-Search, which at this point represents the current state of the art tracking system, can collect data on missing children and suspects, analyze and compare that information with data on known convicted child murderers, kidnappers, and molesters and affect more efficient and speedy recoveries. Currently, we do not have a clearinghouse in California, a state which appears to have one of the highest missing children rates in the country. Our law enforcement personnel are still doing tedious, inefficient and time consuming manual searches of previous offender records. Without an active computerized system like that in Illinois, it will be impossible to improve a pitifully low recovery rate of missing children. Currently we are sponsoring Assembly Bill 2791, which would. The Northern California Juvenile Officers, (see attachment VII) the Department of

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Statement/Collins

Justice, Violent Crimes Division, many Sheriffs Associations and the Department of Corrections support the statewide automated, investigative Missing Children's Information Center. These are proactive solutions that are essential for the recovery and prevention of the abduction of children by strangers.

The American Missing Children's Foundation, (formerly the Kevin Collins Foundation for Missing Children) is now working with forty-six families of children abducted by non-family members. Over the last two years we have been involved with seven short term recoveries and on July 10, 1986, Kristopher Michael Siegel, (see attachment VIII), a boy missing from his mother for six years was recovered in Bangor, Maine. This was one of our most involved cases, and we spent many hundreds of hours on it. But Kris found himself by telling his best friend that he was a kidnapped child and that his abductor would go to jail if anyone found out. The friend told his Godfather who was a policeman. He looked into the case and now Kris is home with his mother in Southern California. The abductor was a former babysitter. A psychologist from the University of California, San Francisco and myself had the opportunity to fly down to meet Kris and his mother. It confirmed something that we had always thought would happen on Kevin's return to our family. There is no such a thing as a "happy" ending in these cases. The best that can be said is that it is a "happy beginning". What is in store for this family? Is it possible to just pick up the pieces and go on as if nothing had happened? Of course not! This family will need a great deal of counseling to be integrated back into a family unit.

In August of 1984 our family was fortunate to be invited to a seminar for families of Missing Children in Rochester, N.Y. This had not been done before. Families were brought together to play, discuss common problems and frustrations and to learn how others dealt. I feel this was the turning point for our family, particularly for the children. They had the opportunity to meet other children who also had a sibling missing. They realized they were not the only ones in the world with this problem. They were not freaks. We saw families who had their children missing for many years who could not discuss their child without breaking down. They were still in the early stages of grief. They had not had the kind of support we were fortunate enough to receive.

The point I would like to make here is that practically nothing has been done in furthering our understanding of psychological consequences and its affects on these families. What is it like to go on for months, years, not knowing if your child is alive or dead? It is particularly hard for the siblings of missing children. They feel abandoned by their parents and unloved in some cases. We have seen cases where the parents just give up and move because they can't deal with their loss. I called a policeman to

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Statement/Collins

get the picture of a boy missing from Washington State. He said the family was in a precarious mental state and would disappear for months at a time. If he found their son he couldn't locate them! In another case in Sonoma County, California, I called to get the picture of a girl missing over four years. I asked the officer to contact the family on my behalf. He called in a few days to tell me the family didn't want to release her picture-- everytime they did it would set the younger son back again. These are just a couple of examples of the problems these families face. They need help at the time of disappearance, over the long term waiting and in the event of recovery--especially then. The family unit has changed because of the tragedy and the missing child also is a very different person from what he/she was at the time of the abduction. There continues to be a pressing need for research on returned abductees to find out much more than we currently know about the kind of people who abduct children and for what purposes. We feel that this kind of information would be very useful in helping law enforcement in dealing with both investigation and convictions in future cases.

Psychological Consequences is an established priority. It has been over a year since the final program priorities have been set by Juvenile Justice. We are appalled by the delay in this most important area of counseling and research as it related to missing children and their families. Thank You!

Los Angeles Times

S.F. Unites in Search**Boy Vanishes
—and Touches
Heart of a City**

By MARK A. STEIN, Times Staff Writer

SAN FRANCISCO—Bubbling with energy despite a long after-school basketball workout, 10-year-old Kevin Collins and some of his chums raced out of the St. Agnes School gymnasium to meet a coach who had offered to drive them home.

Kevin, a fifth-grader, usually made the dash with his brother, Gary, who is a year older. But on this day, Gary was home sick with the flu, and Kevin for the first time went to meet with the coach on his own.

Kevin never made it to the coach's truck. And he never made it home that day. On Feb. 10, somewhere within a few yards of St. Agnes Church in this city's Haight-Ashbury district, Kevin Collins vanished.

As sad as the circumstances are, they are far from unique. Police say dozens of children each year wander off down this city's crowded and colorful streets—some for a few hours, some forever.

A City Is Touched

But, according to police, Kevin Collins' disappearance has somehow touched San Francisco as no other recent case. For some reason—no one is quite sure why—his plight has become a personal concern for much of this city.

Immediately after he was reported missing, people who lived near the church or knew the Collins family began distributing flyers and posters in the Haight, as the area is called, describing the boy and the sludgy circumstances of his disappearance.

These notices drew more volunteers, who attracted local politicians and the news media. Soon, the story of Kevin's disappearance broke onto the front pages and evening newscasts, bringing in still more people offering to comb the streets and parks for clues.

As many as 1,000 people one recent weekend fanned out across the city to distribute handbills featuring a large photograph of the truckle-faced boy, a written description of him and his clothing, and the telephone number of police detectives who are coordinating the search.

Those same flyers—as well as notes that simply caption the photo with the question, "We love you, Kevin. Where are you?"—can be found tacked on trees, taped on cars and displayed on buses throughout the San Francisco Bay Area. Flyers have even been posted in Sacramento.

About 120,000 such handbills, in five lan-



Poster taped on power pole in San Francisco as part of effort to find Kevin Collins.

guages, have been distributed, and Kevin's uncle, Michael Doney, who is organizing the search, said he eventually wants to distribute 1 million flyers throughout the western United States.

In addition to Kevin's physical description—4-foot, 6-inch tall, 70 pounds, brown hair, gray-green eyes, wearing brown pants, white shirt and green sweater—the flyers note that a \$10,000 reward is offered for his safe return. Half of the reward was posted by the city, and the rest comes from private donations.

While some volunteers handle the printing and distribution of these flyers, others take anonymous tips over the phone or try to scratch up time on their own. All such information is relayed to the police, said Doney, who has taken a leave from his civil service job to run the search from the St. Agnes Church rectory.

About a hundred people check in regularly there to help or to post on tips, Doney said. An unknown number of others, such as the

driver Charlie Ristes, simply work on their own. Ristes, for example, keeps a copy of one of the flyers next to him in his taxi. "I keep my eyes straight, constantly looking," he said.

"Everybody's looking for him," the San Francisco Chronicle concluded with a dash of hyperbole. "Kevin's disappearance has pulled The City together," read the headline of another San Francisco article.

The situation has surprised—and in a small way, bewildered—Kevin's parents, David and Ann Collins.

"We expected the support and help from our community," the father said, "but the way the whole city has tried to help, that caught us by surprise."

As the parents spoke, the toll that Kevin's disappearance has taken on them and their family became obvious.

"You find yourself looking in bus windows and car windows and everywhere hoping to see him—and you never do," David Collins said.

Photo see B07, Page 21

BOY: A City's Heart

Continued from Page 2

The wife added solemnly: "It seems that all we have done for our whole lives is look for Kevin."

Denny and others wondered what the city's national interest in Kevin Collins was in light of the public outcry over the kidnapping and murder-long actual tenure of a 7-year-old girl from suburban Concord and an 11-year-old boy from San Francisco.

That story attracted considerable attention here, from the time the children were rescued from a ditched-out truck in November, 1982, until one of the two abductors was sentenced last month to 127 years.

No one knows what has happened to Kevin, but the police now believe that he is more likely to have been abducted than to have run away.

His parents said they suspected an abduction from the very start.

"He's not a runaway, we're sure of that," Ann Collins said. "I have no doubts that Kevin was just a very talented kid."

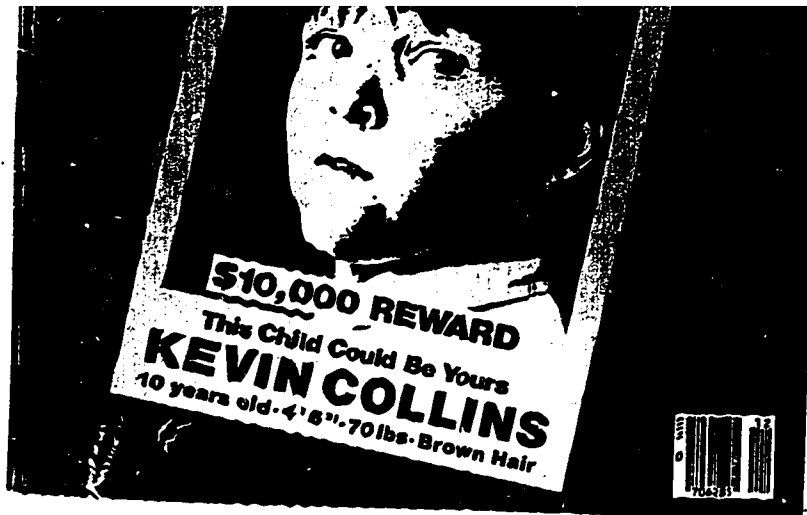
She said that on the morning of the day Kevin vanished, he had eagerly made preparations for a basketball game the next day, a Saturday. He had also been proud of the progress he was making in his fight against diabetes, a learning disorder. The very day he disappeared, Ann Collins noted, Kevin had turned out to be a spelling star.

The Collinses said it was unusual for Kevin to be on his own. Five of the nine children in the family attend school in St. Albans and usually traveled in groups of two or three during the 30-block trips between school and home, Ann Collins said.

Despite a lack of clues and that that has passed, the parents said they are still confident that their son will be found soon.

"Some people feel the longer it is, the less chance we'll find him alive," David Collins said. "Others say the longer it is, the more people will join forces. We need his photograph and maybe lead us to him."

"We just don't think about time. We're just convinced he's alive, and we'll never stop looking."



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U.S. Department of Justice
Federal Bureau of Investigation

Washington, D.C. 20535

STATEMENT OF
OLIVER B. REVELL
ASSISTANT DIRECTOR
CRIMINAL INVESTIGATIVE DIVISION
FEDERAL BUREAU OF INVESTIGATION
BEFORE THE
SUBCOMMITTEE ON JUVENILE JUSTICE
COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE
FEBRUARY 21, 1984

1982 and 1983 (through November 30, 1983):

1981	853
1982	641
1983 (11 months)	873

Listed below are the number of cases which were determined to be a violation of the Federal Kidnaping Statute and for which investigation was conducted:

1981	120
1982	141
1983	164

The data on the number of investigated kidnappings where it was clearly established that a child was abducted is as follows:

1981	35	THE OFFICIAL STATISTIC RELEASED BY THE JUSTICE TO THE NEWSPAPERS IN OCTOBER 1984
1982	45	THIS IS THE OFFICIAL STATISTIC RELEASED BY THE JUSTICE TO THE NEWSPAPERS IN OCTOBER 1984
1983	67	FOR 1983 WAS 67 BY JUSTICE DEPARTMENT TO THE NEWSPAPERS

A review of kidnaping data for three years indicates that a small percentage of the investigations conducted by the FBI involved a ransom demand:

1981	94
1982	84
1983	114

The Federal Kidnaping Statute specifically precludes the FBI from investigating the abduction of a minor child by either parent. If a child is taken by one of his/her parents,

DOES NOT
INCLUDE
KIDNAPPING
FOUND
MURDERED
OR
CONVICTIONS
FOR KIDNAPPING

CANADIAN CENTRE FOR JUSTICE STATISTICS
CENTRE CANADIEN DE LA STATISTIQUE JURIDIQUE

CRIME BY OFFENCE (1983) LA CRIMINALITE PAR INFRACTION-1983

	REPORTED EN NUMERO	UNFOUNDED NON FONDEES	ACTUAL NUMBER NOMBRE REEL D'IN- FRACTIONS	OFFENCES CLEARED INFRACTIONS CLASSEES					
	COMMUNIQUEES A LA POLICE OU CORPES D'ELLE			BY CHARGE PAR MISE EN ACCUSATION	OTHERWISE SANS MISE EN ACCUSATION				
	197-100 CODE								
CANADA									
00 INFRACTIONS - TOTAL	1	730	53	642	529	56	546	4	5
MURDER, FIRST DEGREE	2	314	24	292	205	24	278	4	4
MURDER, SECOND DEGREE	3	303	20	283	213	30	253	4	4
MURDER/SLAUGHTER	4	36	5	31	34	2	27	4	4
INFRACTIONS	5	13	6	6	7	0	6	4	4
00 ATTEMPTED MURDER - TOTAL	6	907	20	879	601	53	640	7	8
00 ASSAULT - TOTAL	7	149,236	9,500	139,636	84,720	53,730	47,317	1,000	1,000
AGGRAVATED SEXUAL ASSAULT	8	601	135	546	215	109	230	4	4
SEXUAL ASSAULT WITH WEAPON	9	899	65	834	395	89	370	4	4
SEXUAL ASSAULT	10	12,112	1,405	10,627	4,203	2,167	3,222	4	4
ASSAULT LEVEL 1	11	84,050	5,305	81,445	25,490	10,475	23,070	1,113	1,113
ASSAULT POLICE/PEACE OFFICER	12	5,630	12	5,626	5,213	200	4,213	10	10
OTHER ASSAULTS	13	43,096	2,278	40,778	19,107	12,600	17,240	1,100	1,100
00 OTHER SEXUAL OFFENCES-TOTAL	14	1,190	253	2,927	1,490	670	2,234	14	14
+ OBSTRUCTION OF PERSON UNDER 16-TOTAL	15	447	165	102	92	81	70	4	4
OBSTRUCTION ROAD CUSTODY CODE-TOTAL	16	537	110	419	331	167	40	4	4
00TH. VIOLENT CRIME OFFENCES-TOTAL	17	1,727	357	1,370	1,043	1,767	2,074	14	1,000
00 ROBBERY - TOTAL	18	24,950	751	24,199	6,103	1,107	6,025	14	1,000
PIRACY	19	7,549	99	7,470	1,916	204	2,004	4	4
OTHER OFFENSIVE WEAPON	20	5,910	139	5,776	1,433	232	2,107	14	4
OTHER ROBBERY	21	11,496	513	10,983	2,652	671	2,004	14	4
00 CRIMES OF VIOLENCE - TOTAL		181,729	11,105	170,624	65,610	37,521	57,334	1,114	1,000
00 BREACHING AND ENTERING - TOTAL	22	170,794	17,230	153,564	82,361	30,005	49,244	1,114	1,000
BUSTINGS/INTRUSIONS	23	110,010	3,979	106,039	19,006	7,205	10,004	1,114	1,000
PESSONENCE	24	220,901	11,394	209,507	20,505	19,647	22,371	1,114	1,000
OTHER BREAK AND ENTER	25	47,083	1,005	46,078	5,910	3,151	6,613	1,114	1,000
00 THEFT - MOTOR VEHICLE - TOTAL	26	84,000	10,903	75,759	11,005	1,172	10,230	1,114	1,000
AUTOMOBILES	27	51,479	7,411	44,068	7,033	4,316	6,024	1,114	1,000
TRUCKS	28	14,903	2,124	12,779	2,550	1,370	2,344	1,114	1,000
MOTORCYCLES	29	10,470	513	9,958	1,043	714	977	1,114	1,000
OTHER MOTOR VEHICLES	30	8,000	465	7,535	879	200	600	1,114	1,000

FOR LARGELY MOST OF DATA REPORTED WAS TAKEN FROM 1984. THERE WERE 709 TOTAL 1984 CASES, OF WHICH THE FOLLOWING WERE IDENTIFIED: KIDNAPPINGS (562), ATTEMPTED KIDNAPPINGS (120), AND UNKNOWN MISSING (17). (See "Definitions and Notes.")

- 1984 Enforcement records in Jacksonville, Florida, and Broward County, Florida, identified 21 cases of actual kidnappings and 58 attempted kidnappings.
- Thirty-four (24) of the 20 cases from the K-900 1984 records were actual kidnappings, and 6 more cases of unknown missing children.
- Outside sources, such as law enforcement professionals or media reporting, provided 317 cases of actual kidnappings in 1984. There were 72 attempted kidnappings reported by this method and 13 unknown missing.

The total of 562 cases of kidnapping should in no way represent the total incidence of this crime for 1984. Understanding the scope of this crime is more difficult when recognizing that of the 562 known kidnappings in 1984, 211 cases were reported from two cities alone. These kidnappings should be looked at on the absolute "known around" level, because, for the number of kidnappings of children in 1984.

OF THE CASES STUDIED, MORE FEMALES THAN MALES WERE REPORTED KIDNAPPED BY NONFAMILY MEMBERS.

- Of the total records examined, over twice as many females (67.54) were reported as victims of kidnapping as were males (28.14). Both outside sources and K-900 records reflect similar proportions.

• Enforcement records reflect a much larger proportion of females, with 80.15 of the kidnapping cases involving females and 10.85 of the crimes reported as committed against males.

The dramatic differences in the frequencies of female victims over male victims, especially in the police records, could lend themselves to two possible explanations:

- (1) the frequencies could indicate a true representation that girls are more susceptible to kidnapping, and/or
- (2) according to many professionals, a relatively large proportion of cases of male victims of kidnapping and sexual assault is never reported to authorities by the family or even reported to the parent by the child himself.

-2-

J. Missing Children: A Statistical Overview

The following statistics were compiled from the Illinois LEADS system. The data is reported from Illinois law enforcement agencies through approximately 1,100 remote LEADS terminals, and is maintained in a central data base in Springfield.

During Calendar Year 1985 a total of 32,834 incidents of missing persons under the age of 21 was reported. Of those reports, 30,512 incidents represented juveniles age 17 and under.

Chart 1
Missing Children (CVBS) by Age Group

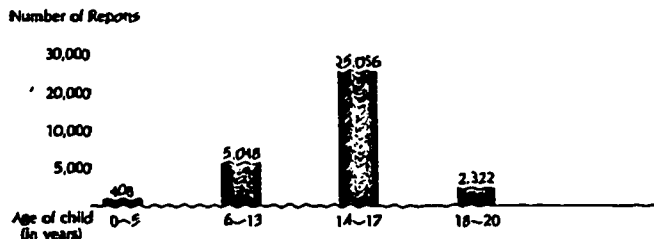


Chart 1 clearly shows that the bulk of missing children reported during Calendar Year 1985 were in the runaway prone years of 14-17. More detailed statistics on reports of missing children are available from the 12-month period of April 1, 1985, through March 31, 1986, as a result of the implementation of revised entry codes. These statistics indicate the following:

- 1,319 incidents of children age 17 or younger, missing under circumstances indicating foul play, or that their disappearance was involuntary (e.g., kidnapping or abduction) were reported.
- 98 incidents of parental abduction of children age 17 or younger were reported. The bulk of the missing children were reported under the EMI category - circumstances unknown. While it is logical to presume many, if not most, are runaways, this would only be speculation. (See Chart 3).
- 33,158 incidents of missing children under the age of 21 were reported. Of those cases 32,366 or 97.6% were cleared (child recovered, located, returned home, arrested, found deceased, etc.).

- 12,010 incidents of missing black children under the age of 21 were reported versus 20,981 incidents of white children. The rate of reports of missing black children to the total population of black children under 21 was approximately twice that of whites, however both groups had virtually identical clearance rates (97.6% for blacks versus 97.7% for whites).

- Generally, females are somewhat more likely than males to be reported missing, although males seem to be reported at younger ages. (See Chart 2.) Both male and female missing children cases are cleared at virtually the same rate. (See chart 4.)

As of May 1, 1986, there were 1,273 children reported missing under the age of 21. Of those, 84 were cases where the child is missing because of foul play or circumstances indicating their disappearance was involuntary (kidnapping, abduction) or where they were in the company of someone who is believed to pose an immediate danger to the child. There were also 47 active reports of parental abduction within the 1,273 cases.

**Northern California
JUVENILE OFFICERS ASSOCIATION**



July 30, 1986

Reply to:

District Attorney's
Office, W Wing
70 W Hedding St.
San Jose, Ca. 95110

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Assemblyman Gray Davis
State Capitol
Sacramento, Ca. 95814

Dear Mr. Davis:

The Northern California Juvenile Officers Association (NCJOA) has long stood as an advocate for the youth of the State of California. We have great concern for the missing and exploited children in this state and law enforcement's inability to adequately investigate cases of this nature due to the lack of a central coordination effort at the state level. We see the action proposed in AB 2791 as a step in the right direction to filling the current void in information gathering and dispersion in missing children investigations.

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You should know that in Oct., 1985, the Department of Justice's own Violent Crime Information System Advisory Committee recommended to the Attorney General that he implement a program similar to that proposed in AB 2791. We support the intent of AB 2791 in creating a central resource for law enforcement in missing children investigations and creating an automated system to adequately assess the magnitude of the missing children problem in California. The provisions for personnel to work in the Missing Children's Information Center are especially important to us.

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What concerns us greatly is that there be sufficient appropriations to implement the bill. Our experience, in the past, has been that when bills which require specific actions be taken are given insufficient funding in the start-up phase, the result is that nothing happens. We feel that the bill should include enough appropriations to include the necessary personnel to implement the actions which are being mandated. To not do so would encumber the Department of Justice's personnel who are already overwhelmed with work with more work than they could possibly handle.

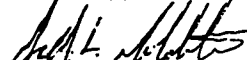
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SAN JOSE POLICE DEPARTMENT

ASSEMBLYMAN GRAY DAVIS

PAGE TWO

We are willing to discuss these and any concerns you may have.
Please feel free to contact us care of the above address.

Sincerely,


Seth L. Goldstein,
President

cc:

Senator David Roberti
President pro Tempore

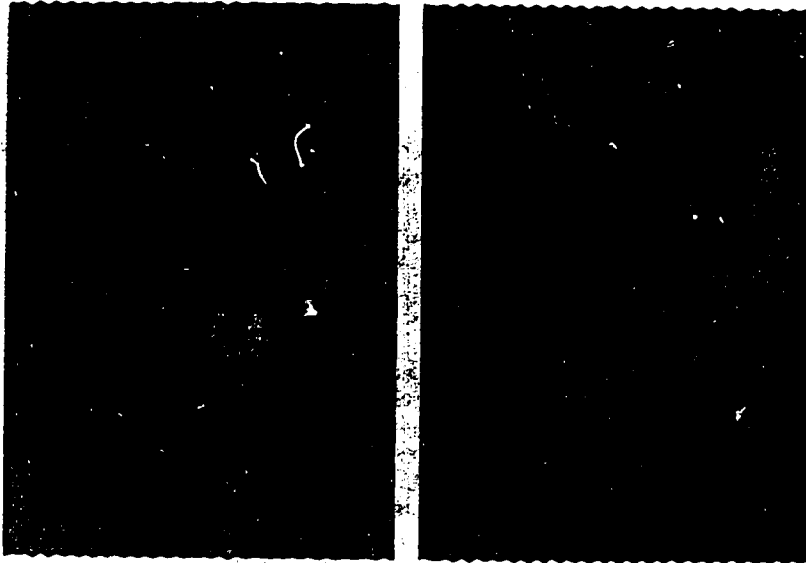
Senator Barry Keene
Majority Leader

Senator Daniel Boatwright
Chairman, Senate Appropriations Cate.

Senator John Foran

Senator Alfred Alquist
Chairman, Senate Fiscal & Budget Cate,

Mr. David Collins



MISSING!

These Children Could Be Yours

**Jose Antonio
Lopez Lugo**
Nickname "Cheque"

D.O.B. 12-1-71
Brown Hair • Brown Eyes
LAST SEEN JULY 12, 1984
GUADALAJARA, MEXICO

**Kristopher
Michael Siegel**

D.O.B. 1-19-77
Brown Hair • Brown Eyes
LAST SEEN AUGUST 17, 1982
PENDLETON, OREGON

**If you have any information on these children
CALL THE KEVIN COLLINS FOUNDATION at:
800-272-0012
or in California 800-435-7538**

Mr. KNUDZ. Mr. Doak Bloss.

Mr. Bloss. Mr. Chairman and members of the committee, thank you for the opportunity to speak to you today on the troubling and complex issue of missing children, which I have been speaking and writing about for the past year.

The Michigan Network of Runaway and Youth Services is a coalition of 27 runaway programs across the State of Michigan. These include a statewide toll-free runaway hotline, foster care programs and runaway shelters, which can provide short-term care for runaways for up to 14 days with parental permission.

Not quite a year ago, the Network hired me to coordinate its Missing Children Prevention and Information Program--McPIP for short--funded by a grant from the Department of Health and Human Services.

Its broad objectives were to expand public awareness of the missing children issue, and to develop safety resources for young people.

These were reasonable objectives in light of what we thought we knew of the missing children problem a year ago.

Today, however, it is reasonable to ask whether further expansion of public awareness is even possible, since you can no longer go to the mailbox or open a refrigerator without confronting the face of a missing child.

It is also reasonable to ask whether new safety and prevention programs are called for, since very effective ones were developed by child sexual abuse experts over a decade ago, and the new ones focusing on abduction and "stranger danger" are dangerously misleading to both children and parents.

It soon became apparent to me that there was indeed important work to be done in clarifying public understanding of the issue of missing children.

The irony is that the need for this work was in many ways created and sustained by the very people whose honorable intention was to prevent the horror of child abduction.

We frequently hear the complaint that stolen cars are investigated and registered more efficiently than stolen children.

It is a very effective analogy, for it seems to imply that we care more about automobiles than kids. In fact, it implies no such thing.

When a car is missing, both its owner and the investigating police officer can be reasonably certain the car did not decide to go somewhere else.

Cars are inanimate objects. Children are not. Children are human beings, with hearts and minds and emotions and opinions and problems. When they are not where we expect them to be, certain questions need to be asked about where they may have gone and why.

Logistically and practically speaking, it does not make sense to respond to a report of a missing child in the same way one responds to a missing car. It doesn't mean we care about the child less. It means that a case of a missing child is more complicated, because human beings are more complicated than inanimate objects.

If you need further evidence of that, consider the missing child who chooses to be missing because he or she is being emotionally or physically destroyed at home.

For many of our Nation's runaways, leaving home—and thus becoming what some experts now quaintly refer to as “voluntary missing”—is an act of self-preservation.

They are in dire need of help, but the help they need is not merely to be found and returned to their loving home. They don't have a loving home to return to.

It is in no way my intention to downplay or trivialize the tragedy of children being abducted and murdered by strangers. What I hope to convey to you today is that this is one tiny facet of the missing children problem. It is this one facet, however, which has sparked an enormous national interest in missing children by legislators, corporations, and private voluntary organizations.

Many of the side effects of this interest have been detrimental to children and families. I am here today to argue for common sense in our national approach to resolving the problem of missing children in all its aspects, and for much-needed cooperation between the various professionals equipped to deal with each of them.

The issue of missing children rose to public prominence very suddenly, and largely without benefit of established treatment models or competent research into the scope of the problem.

It resulted in large part from our natural emotional response to the terrible reality of Adam Walsh, Etan Patz, Kenny Myers, and other cases of stranger abduction.

It was not a new concern. Parents have been warning their children to stay away from strangers for generations. It seemed new because suddenly we were being told that as many as 50,000 such abductions were taking place each year—three kidnappings by strangers in each State of the Union every day.

The predictable news that this was not an accurate statistic led to the familiar adage that “One abducted child is one too many,” and therefore the numbers are irrelevant.

I couldn't agree more. One abducted and murdered child is a monumental tragedy. We shouldn't ignore it.

But how do we absolutely prevent it? Short of locking our children indoors until they reach adulthood, there is no way to guarantee that an abduction will not take place. Nor is there a guarantee that lightning will not strike them, which is almost as likely a prospect.

What became apparent to me in gathering information and resources for my program was that there were a set of cultural values underlying the public's newfound concern about stranger abductions. And it appeared that these values were inhibiting the public's ability to understand other aspects of the missing children issue—specifically, runaways and child sexual abuse. They were also obscuring some of the basics of prevention theory.

In addition to its obvious emotional appeal, the issue of children being abducted by strangers focuses on a problem outside the home.

In an ironic way, it offers reassurance that the monster is out there somewhere, and that homes and families are the source of

nurture and safety—which is, after all, what we all want the truth to be.

The missing children movement, I fear, has invited all to enroll in the Ozzie and Harriet school of problem-solving. That's where you learn that good families do not have problems—at least none that can't be solved in 30 minutes.

Homes and families are sacred, nurturing institutions, and all we have to do to keep them that way, is buy stronger locks for our doors, and keep our kids from talking to strangers.

Longstanding research into child sexual abuse, indicates that there is a certain amount of wishful thinking going on here. We know that nearly all child sexual abuse cases involve a perpetrator who is a friend, or relative, of the victim, not a stranger.

Interviews with career pedophiles, consistently indicate, that the first thing a pedophile seeks to do, is befriend his potential victim, and that the victims of greatest potential are those who have not found love, or nurturing at home.

In a recent study of runaways by Dr. Ann Burgess, 73 percent of the respondents had been physically beaten at home, and 43 percent cited this as a reason for running away. Thirty-eight percent of the boys, and 73 percent of the girls, reported being sexually abused in the home.

In spite of all this, the missing children movement continues to focus on the danger of strangers. Prevention programs strive to teach kids how to distinguish strangers from trusted adults, and how to identify the lures strangers use in abducting children. They stress the importance of fingerprinting children so that when they are abducted, and murdered, we will be able to identify them properly. They consistently equate safety and protection with the distrust of unfamiliar people.

Such campaigns represent a serious assault on the mental health of our Nation's young people. They leave children unequipped to identify sexual abuse when it comes from a trusted adult, as it does 86 percent of the time.

They encourage a sense of fear and helplessness in children, which is exactly the opposite of what they need, in order to keep themselves safe.

They needlessly inflate the normal separation anxieties of childhood, which may well lead to repression, rather than communication of information about abuse.

In contrast to this, child sexual abuse prevention programs, have always emphasized the need to empower children to take responsibility for their own safety, to trust their inner voice about things like inappropriate touch, and to talk about things that are bothering them.

There is no need to stress strangers as a source of peril. The child who has been empowered to identify and communicate abuse, will do so regardless of whether the abuser is a friend or a stranger.

It seems abundantly evident to me that our overwhelming concern about stranger abductions is grounded in a desire to disempower young people—to treat them as mindless possessions in need of protection from the world, rather than capable human beings in need of encouragement and confidence.

We have heard enough empty rhetoric about children being "our Nation's most precious resource." Let's start talking about the children's precious resources--their curiosity and their capacity for self-reliance.

Disempowerment is also a theme in the missing children movement's interest in runaways. As the public has become informed about the true dimensions of the missing children problem--specifically, that over 90 percent of them are runaways--many missing children organizations have re-interpreted this aspect of the problem in order to bring it in line with the standard stranger-abduction scenario.

Runaways, we are now told, leave home because of a lack of proper discipline, and are lured by the romance and excitement of life on the street, much the way victims of abduction are lured by strangers.

A recent panel on missing and exploited children recommended to the Justice Department that, in the name of protecting runaways from the dangers of street life, State laws be changed to allow police agencies to securely detain them--that is a polite way of saying throw them in jail.

The panel didn't say what to do if the parents of the runaways don't want him or her back, which is often the case. They didn't say what to do if returning the child home meant a return to sexual abuse of the child by a parent.

It doesn't take a lot of insight to realize that locking these kids up for their "protection" will only foster contempt for the justice system's indifference to their needs, as well as an unconscious dependency upon that system to resolve their problems.

A runaway episode will not be resolved until the runaway has been empowered with an effective strategy, for coping with the problems that caused him, or her to run.

Secure detention, by encouraging association with serious offenders, more often teaches strategies for surviving on the street. It initiates an adversary relationship with society that could become lifelong.

The idea that jailing a runaway is a form of child protection is ludicrous. It isn't protection, it is punishment. In practice, it will be used to punish young people simply for saying no to abuse.

Once again, Mr. Chairman, I would like to thank you for this chance to express my concerns about this perplexing issue. I hope that nothing I have said will appear to diminish the anguish of the parents of abducted children, or the work being done to locate those children.

My goal is not to criticize anyone else's good intentions, but to illuminate some of the serious side effects I have witnessed in our efforts to protect, rather than empower the Nation's children.

I would also like to urge the various players in the political game that has formed around this issue--of which this hearing is one arena--to put down their swords and cooperate.

I am referring to the National Center for Missing and Exploited Children, private voluntary organizations, child abuse prevention agencies, runaway programs, and law enforcement.

If we mean half of what we say in our rhetoric, our goals are the same. We want families to work. We want children to be safe.

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The time has come to stop defending agendas and protecting turf. If one agency has expertise in the investigation of abductions and another has expertise in counseling the family of a runaway, why should the two compete? It is time to set aside past differences, listen to each other, and learn from each other's experience.

Last fall, at a public forum in Brighton, MI, a young woman in the audience spoke about her daughter, who had recently awakened from a nightmare screaming. The daughter had dreamed she was abducted by a stranger. The mother pleaded passionately to the crowd to do something, so that the next generation did not have to grow up with this kind of terror. I realized near the end of her comments that the something she wanted was an absolute end to abduction.

In my public education efforts over the past year, I have seen that mother as my primary audience. I share her passion, her fear, and her concern for her daughter's mental health.

I want her to know that even though an end to abduction may not be possible, an end to the terror is. I want all concerned parents to see that the first step toward ending our children's nightmares is the acknowledgment that we have helped to create them.

[The prepared statement of Dusk Bloss follows.]

PREPARED STATEMENT OF DAAN BLOSS, COORDINATOR, THE MISSING CHILDREN PREVENTION AND INFORMATION PROGRAM, THE MICHIGAN NETWORK OF RUNAWAY AND YOUTH SERVICES

Mr. Chairman and members of the committee, thank you for the opportunity to speak to you today on the troubling and complex issue of missing children, which I have been speaking and writing about for the past year.

The Michigan Network of Runaway and Youth Services is a coalition of 27 runaway programs across the state of Michigan. These include a statewide toll-free runaway hotline, foster care programs and runaway shelters, which can provide short term care for runaways for up to 14 days with parental permission.

Not quite a year ago, the Network hired me to coordinate its Missing Children Prevention and Information Program--McPIP for short--funded by a grant from the Department of Health and Human Services. Its broad objectives were to expand public awareness of the missing children issue, and to develop safety resources for young people.

These were reasonable objectives in light of what we thought we knew of the missing children problem a year ago. Today, however, it is reasonable to ask whether further expansion of public awareness is even possible, since you can no longer go to the mailbox or open a refrigerator without confronting the face of a missing child. It is also reasonable to ask whether new safety and prevention programs are called for, since very effective ones were developed by child sexual abuse experts over a decade ago, and the new ones focusing on abduction and "stranger danger" are dangerously misleading to both children and parents.

It soon became apparent to me that there was indeed important work to be done in clarifying public understanding of the issue of missing children. The irony is that the need for this work was in many ways created and sustained by the very people whose honorable intention was to prevent the horror of child abduction.

We frequently hear the complaint that stolen cars are investigated and registered more efficiently than stolen children. It's a very effective analogy, for it seems to imply that we care more about automobiles than kids. In fact, it implies no such thing.

When a car is missing, both its owner and the investigating police officer can be reasonably certain the car did not decide to go somewhere else. Cars are inanimate objects. Children are not. Children are human beings, with hearts and minds and emotions and opinions and problems. When they are not where we expect them to be, certain questions need to be asked about where they may have gone, and why. Logistically and practically speaking, it does not make sense to respond to a report of a missing child in the same way one responds to a missing car. It doesn't mean we care about the child less. It means that a case of a missing child is more complicated, because human beings are

more complicated than inanimate objects.

If you need further evidence of that, consider the missing child who chooses to be missing because he or she is being emotionally or physically destroyed at home. For many of our nation's runaways, leaving home--and thus becoming what some experts now quaintly refer to as "voluntary missing"--is an act of self-preservation. They are in dire need of help, but the help they need is not merely to be found and returned to their loving home. They don't have a loving home to return to.

It is in no way my intention to downplay or trivialize the tragedy of children being abducted and murdered by strangers. What I hope to convey to you today is that this is one tiny facet of the missing children problem. It is this one facet, however, which has sparked an enormous national interest in missing children by legislators, corporations, and private voluntary organizations. Many of the side effects of this interest have been detrimental to children and families. I'm here today to argue for common sense in our national approach to resolving the problem of missing children in all its aspects, and for much-needed cooperation between the various professionals equipped to deal with each of them.

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The predictable news that this was not an accurate statistic led to the familiar adage that "One abducted child is one too many," and therefore the numbers are irrelevant. I couldn't agree more: one abducted and murdered child is a monumental tragedy. We shouldn't ignore it. But how do we absolutely prevent it? Short of locking our children indoors until they reach adulthood, there is no way to guarantee that an abduction will not take place. Nor is there a guarantee that lightning will not strike them, which is almost as likely a prospect.

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The missing children movement, I fear, has invited us all to re-enroll in the Ozzie and Harriet School of Problem-Solving. That's where you learn that good families do not have problems--at least none that can't be solved in 30 minutes. Homes and families are sacred, nurturing institutions, and all we have to do to keep them that way is buy stronger locks for our doors and keep our kids from talking to strangers.

Longstanding research into child sexual abuse indicates that there is a certain amount of wishful thinking going on here. We know that nearly all child sexual abuse cases involve a perpetrator who is a friend or relative of the victim, not a stranger.

Interviews with career pedophiles consistently indicate that the first thing a pedophile seeks to do is betray his potential victim, and that the victims of greatest potential are those who have not found love or nurturing at home.

In a recent study of runaways by Dr. Ann Burgess, 72% of the respondents had been physically beaten at home, and 43% cited this as a reason for running away. 38% of the boys and 72% of the girls reported being sexual abused in the home.

In spite of all this, the missing children movement continues to focus on the danger of strangers. Prevention programs strive to teach kids how to distinguish strangers from trusted adults, and how to identify the lures strangers use in abducting children. They stress the importance of fingerprinting children so that when they are abducted and murdered we'll be able to identify them properly. They consistently equate safety and protection with the distrust of unfamiliar people.

Such campaigns represent a serious assault on the mental health of our nation's young people. They leave children unequipped to identify sexual abuse when it comes from a trusted adult, as it does 86% of the time. They encourage a sense of fear and helplessness in children, which is exactly the opposite of what they need in order to keep themselves safe. They needlessly inflate the normal separation anxieties of childhood, which may well lead to depression rather than communication of information about abuse.

On the contrary, child sexual abuse prevention programs have always emphasized the need to empower children to take responsibility for their own safety, to trust their inner voice about things like inappropriate touch, and to talk about things that are bothering them. There is no need to stress strangers as a source of peril. The child who has been empowered to identify and communicate abuse will do so regardless of whether the abuser is a friend or a stranger.

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Mr. KILDEE. I thank you very much, Mr. Bloss.

Let me put this question out, and you may all try to respond to it.

As the various prevention efforts have been implemented, resulting in children's pictures being put on milk cartons, cereal boxes, window posters, shopping bags, truck trailers, congressional mail now, many people are increasingly concerned that these efforts may be needlessly frightening children and parents.

Perhaps all of you could comment at what point in our efforts to teach parents, and children, to avoid abduction—at what point do we begin to needlessly frighten both the children and the parents?

Mr. Clark, do you want to start? That may not be the right question.

Mr. CLARK. Well, Mr. Chairman, I think the right answer is, I don't believe we are unnecessarily frightening parents and/or children, when you take a positive approach to education.

Posters, milk cartons, mail—natural gas bills in Arkansas have pictures of missing children that come with it—all of those things are just in the form, as I interpret that as a statement of disappearance, and it is a statement of concern, not a statement that you are disappearing or will disappear. It is just a statement of concern buttressed by so much other education.

What scares me significantly about this field—and this is where I have said the issue of promotion that concerns me by "profiteers," as the term was used by one of the members of the panel—are those who do come into a situation, such as I experience in my State, and promote the fact that there are a number of missing children from this State or this town, and when it is a total and complete misrepresentation or colored in the line of fear.

I saw a program out of the State of Michigan that portrayed a child cowering under the shadow of someone cloaked in a trench coat, a cap, and a hat, and that does great harm. But to say that this Nation cares enough to otherwise indicate to children and parents across the country—this child is missing and we should care.

As I said, our experience is firsthand. I have been directly involved with Nicole Bailey in Arkansas. Her picture was on a flyer that fell out of a Family Circle magazine. It was picked up by a 2-year-old who wadded it up; and a 12-year-old saw it, and only because in a program where she had been taught that these are concerns—not that people are going to hurt you but there are concerns about people who are missing—and she looked at that picture.

Now, had that picture not been in that magazine, Nicole Bailey would still be Nicole Bailey in Little Rock, and not Brandy in Topeka, and Sissy, their mother, wouldn't be hugging them tonight.

I don't think we have overstated or overreacted.

That is one of the reasons I like the coordinating effect of the National Center, because frankly, that clearinghouse on educational information has been the most positive, and I see that as, not asking a 6-year-old to be able to function as a 26-year-old, but saying to a 6-year-old, "We care. We care."

Mr. KILDEE. Thank you.

Ms. Thoman.

Ms. THOMAN. I don't think we can negate the fact that it is very difficult to go anywhere in this country today without seeing a photograph of a missing child, magazines, refrigerators, cupboard doors. I am not of the opinion that that has necessarily led to an overwhelming number of children being located or that the children that the General talks about would not have been located by other efforts.

We join with many other agencies in saying that photograph projects have their place; however, they need to be more rationally used.

Dr. Spock, a well-known psychiatrist, has said that this is not a good thing to perpetrate on our children.

If we took those same photograph projects, put them into the hands of clerks in grocery stores, to mail carriers, not in the outside offices where you walk in to pick up your mail, provide inservice training to the people who receive these photographs, taught them what to look for, tell them what to do with the sighting information—we are a lot more likely based on photographs that are disseminated and a lot less likely to frighten children with this constant influx of photographs.

Abductors also see those photographs that are on grocery store walls, bags, cereal boxes. If an abductor walks into a local grocery store and sees the child that they abducted—a parental abduction or a stranger—on that wall, they are not going to come back to their grocery store next week.

In fact, they will probably move. Parental abductors move every 3 to 6 months. If we scare them off continually with more and more photographs, we are going to have a lot harder time locating them after they leave.

We have had parents come home who have abducted children and said, "We have moved 14 times in the last 3½ years because everywhere I went, I saw his picture on TV, in the grocery store."

It is happening. That is the reality of what is going on out there.

Mr. Bloss. Two points, Mr. Chairman.

One is that one of the biggest obstacles that child sexual abuse prevention experts had to overcome was the myth of the trench-coated stranger at the edge of the parking lot was abducting kids, and the ubiquitous pictures of children's missing faces have gotten the sense that they have suddenly had a reawakening of an awareness of the trench-coated stranger.

The appearance, in general, of these faces everywhere has created this impression that there is a huge number of abductors out there, and skewed the perception of child sexual abuse in that way.

That is dangerous, I think. One of the most important things in a parent dealing with a child about safety in general is that it be done in a nonthreatening way, and although every program claims to be nonthreatening, the very fact of having a missing child sitting on the breakfast table with you robs the parent of the opportunity to bring up a discussion of these issues with the child in a way that is appropriate and not threatening.

It forces the parent to deal with it right there on the spot, because there is this picture that says "missing" and the child does not understand what that means. That is inappropriate, also.

Mrs. COLLINS. I think it is unfortunate that so many pictures have been put out and there is no designation on them as to whether they were parental cases, stranger abductions, and that led the general public to believe that all the missing children pictures they saw were taken by strangers, and that is a shame, I think.

On the other hand, first, Dr. Benjamin Spock is not a psychiatrist, but a pediatrician, and it is important for families to train their children in safety. You train them in street safety, fire safety.

Another form of safety children have to be trained in—and we spoke to many PTA's and many families, and I don't see an overwhelming amount of children who are frightened by the pictures of children. They are aware there is a problem, but I don't think they are frightened.

Mr. KILDER. Mr. Walker.

Mr. WALKER. Thank you very much.

The National Child Safety Council has probably been involved in putting out more pictures than anyone else, having done the grocery sack program, milk carton program, as well as working with the Gas Association, the National Center. And our feeling of the members of the NAMCO is, very simply, as long as there is a need, we will continue to get these pictures wherever we can.

We are very careful as to where those pictures are put. One example is the milk cartons. When we initiated that program in January 1985, several people wanted to put the pictures of missing children on the side of the half pint milk cartons that go into the school, and we objected and said it wasn't a good idea.

So, instead, we have a nonthreatening character called Safety Pup that delivers 3 to 5 billion safety messages to children over a period of a year, right into the schools.

As you can see, you are getting different philosophies here, and different ways to get at the yolk, but I agree with Ms. Collins about Dr. Spock—who I had the opportunity, as several others have, to be on some radio talk shows today. Psychiatrists are telling us abduction or being put in a dangerous situation should be handled along with every other child safety issue.

For example, you don't teach a child not to play with matches by burning a house down, you go about it in a positive, nonthreatening way. This is the same way we are approaching the issue of abduction.

One closing comment. Several children were, if you will, screened and asked about their reaction to the pictures of missing children. Quite a few came back and said, well, it is nice to know the adults care about the kids. It is all in how you look at it, as to whether we are scaring or helping. As far as NAMCO goes, we will continue our efforts until there is no longer a need.

Mr. KILDER. Thank you.

Just one other question before I turn to Mr. Tauke. Attorney General Clark, you mentioned that in your State of Arkansas, there are some organizations whose motivations are at least questionable. What can be done to make the public aware or in some way control that problem? Is there anyone aware of any accreditation-type system where people can know which groups at least meet some minimum standards as to approach and motivation, skill, expertise? Could you comment on that?

Mr. CLARK. I am not aware of any national accrediting organization and was asked that question just a week ago by someone. I am not sure it would be possible. I think the accrediting standards are simply this, the law. The people who have run afoul of my office in Arkansas did so because they didn't register with the Secretary of State as a charitable solicitor, a simple requirement, to follow the law, well publicized, easily done. They used deceptive or misleading comments of a material fact, which is a violation of the Consumer Protection Act in Arkansas. Anyone who is a private volunteer organization who wants to raise money for missing children, follow the law. If you do that, we have no problem.

The enforcement aspect is this. As I said, I am pretty plain spoken, Mr. Chairman, so when you see someone—when you see on the news at 6 and 10 o'clock saying these dirt bags are trying to take advantage of your children, usually that has some lasting effect for a few days in their solicitation efforts.

Second, when they hear a judge tell them, yes, the State has proven that you have misrepresented a material fact, that you are for profit when you said you were not for profit and you now are enjoined from doing business in Arkansas permanently and you are fined \$10,000, that message rings loud and clear, and I don't have to say anything, that is brought home through the good graces of media, print and electronic. It just makes the giving public, if you will, a little more sensitive to the general statement of, oh, let's help children. Because they ask more questions about how are we going to help or in particular makes them more concerned if the private voluntary organizations is a non-Arkansas entity, and that happens occasionally.

Mr. KILDER. Anyone else have any comments?

Mr. WALKER. I would like to comment, if I may, Mr. Chairman.

As I mentioned earlier, NAMCO was recently formed, in February of this year, and we have accepted 18 members, and we have, I think, 25, \$0 more applications. That, as I stated earlier, is one of the functions of NAMCO. As you can tell, we haven't done a good job of getting the word out, because of lack of funds of NAMCO. We don't consider ourselves to be a catch-all or panacea to the problem, but some of the things we will require of agencies before they are allowed membership is they are approved as a section 501(c)(3) organization, they must furnish us with copies of the State license for every license they solicit and may not charge a fee to the victim parents or to any relative.

A current financial statement and the guidelines and standards established for fundraising, administrative costs, will be those set by the Philanthropic Advisory Service of the Better Business Bureau. We require proof of activities, credibility and expertise in one of the following areas: Child searching or support of missing, exploited and recovered children and their families or other child searching organizations. We require documentation, letters from local, State or national officials and letters from law enforcement agencies. We require a signed statement no officer, board member, employee, or volunteer has ever been convicted of a crime against a child, and they must agree to networking and exchange of information with other member organizations.

These are the specific guidelines that have been set down for NAMCO.

Mr. KILGER. Thank you. Any other observations on that question, or response?

Mr. Tauke.

Mr. TAUKE. Thank you, Mr. Chairman.

I thought this was a very enlightening panel, and I want to thank each of you for your testimony.

I wonder if we could begin with a question relating to parental abduction laws. I think, Mr. Clark, probably you are the one best able to speak to this issue, but my own observation is that one of the problems we seem to have is the myriad of State laws often times that are not easily matched from one State to the other relating to dissolution of marriage and custody of children. Is there any way we can do something to straighten out some of this mess relating to these custody laws, especially when one parent is in one State and the other is in another State? They go into different court systems and so on. Is there any way we can straighten that out?

Second, do you think that is a significant contributing factor to some of the problems we have?

Mr. CLARK. In answer to your second question first, yea, it is a significant contributing factor in cases.

In answer to your first question, no disrespect intended, but as a mother said to me, "Shakespeare was right, we need to kill all those lawyers." In this respect, I think what you find is this hodgepodge of law, particularly with dissolution of marriage and custody issues, even though we have uniform laws that can be helpful and are helpful, has created some significant problems.

Also I would say sometimes these problems are created by lack of awareness or concern.

Mr. TAUKE. Is there a Federal role in this area?

Mr. CLARK. Other than existing legislation of which I am aware, I don't know, frankly. I do know that if you are talking about parental kidnapping, what I have seen that I think needs to be done, or at least considered, is looking at some efforts by States that have not defined kidnapping or not redefined it in 50 years, to revisit that whole policy issue, because of the nature of society and the dissolution of marriage on a frequent basis now. We didn't deal with these problems a half century ago. Federal enactment I am not sure would be the answer, but a reevaluation of where we are certainly is, simply because, as I said, the adoption of most of those public policy statements 50 years ago, the concept of a family that divorce was fairly foreign.

I think parental abduction, as well as other kidnapping charges—a case I am familiar with in Kansas, these two children were taken by neighbors, so technically the two people were charged with a criminal offense and were convicted and are now doing time in Kansas but were not charged with kidnapping because an old kidnapping statute provided you had to be taken by someone who did not know you. And since these people were known to the two girls, they couldn't be charged with kidnapping, they were charged with interference of custody. And you see some long-arm statutes and jurisdictional issues where we can enforce that from State to State.

Mr. TAUBE. Any other comments on that question?

Ms. THOMAN. First, it is important to realize there are three different types a family can suffer. One is intrastate, and our Federal law is difficult to implement on an intrastate parental abduction basis; interstate, when a parent crosses the State line; and international abduction, which has received little attention at all. A mother has joined us today, Renee Berger, her children are presently in Israel, and we can do nothing to get them back. The Hague Convention does not help us. There is no enforcement for that type of abduction. The two existing Federal laws, the Uniform Child Custody Jurisdiction Act and the Parental Kidnaping Prevention Act would be helpful if we could train judges and attorneys in the States how they apply in their traditional jurisdictions.

There is a pending law I am aware of, called the Federal Parental Kidnaping Deterrent Act. I am not sure what its status is at this point. I feel parental abduction is one of the major things we deal with in our agency. Until we reach a point in our divorce laws State by State that we are dealing in a mediation process and not a hostile attorney-to-attorney with a mother and father, we are going to have the problem of parental abduction. I think that is the starting place, to train judges and attorneys how to deal with the laws presently enacted in their states and to work toward changing this hostile environment we create in separating families.

Something else that we haven't spoken to regarding parental abduction is the fact there are no care programs for these children when they come home. Many of them are gone for long, long periods of time. Most of them have their names changed, their hair colors changed, they move from place to place so often. When they are located, it is almost as if the people who are in the field say, "Well, we have located this child." It is important to remember just because we have located them doesn't mean we are going to be able to get the justice system to work in that particular State to recover them and bring them back to their custodial guardian. There may be a jurisdictional battle, all different kinds of things that go on under the Federal law.

Mr. TAUBE. That is what I was talking about. Do you run into that quite a bit?

Ms. THOMAN. It is a difficult problem. We see a great number of parents who are typically fathers, who have fathered a child out of wedlock, and the mother absconds with the child, and that leaves the father with literally no protection under the law. It is a very difficult issue also to deal with. It needs some attention. We feel very strongly parental abduction is affecting a greater number of young children than any other abduction issue in our country.

These children will grow up in dysfunctional family settings. They will not be able to implement themselves in our society in ways that will make it a positive impact on our society. They may be the runaways we see in the next 10 to 15 years. They are a group that needs and deserves our immediate attention.

Mr. TAUBE. Any comments from anyone else on that issue?

If not, let me ask one additional question. There is so many things I could ask, but we do have time limitations. But in kind of a summary statement from each of you, I would like to know if you were in Congress and sitting on this committee, what would you do

to, (A), change the law or change our funding priorities or change our bureaucracy that has been set up to administer this act? Anyone can start.

Mr. THOMAS. I can start. We have outlined 15 recommendations in our written testimony. A lot of thought, a lot of dedication and a lot of caring went into those recommendations. They are not based just on our own agency. We speak for parents that we serve, we speak for family members we serve, and we are also here to speak for a lot of private voluntary organizations that have not had a voice. Those recommendations we feel, if implemented, would make a big difference in helping, truly helping the families the act was originally designed to help.

Mrs. COLLINS. We feel good active clearinghouses in States will help to help law enforcement in the cases and bring forth real statistics in the cases.

Second, the psychological consequence to families is extremely important, and our third issue is private volunteer organizations who have been working in the fields for years and are really out in the trenches doing the work, they have been left out, and I think they need to be funded.

Mr. WALLER. As I mentioned in my testimony, we must provide the support to the private nonprofits. Section 406 needs to be implemented. History has shown us almost every important social change that has taken place in this country, if not the world, has started in the private nonprofit sector. It is important these private nonprofits be given the opportunity to continue to provide services, grow and expand along with the federally funded activities. We will submit a much more detailed list of recommendations in our final brief.

Mr. TAYLOR. Mr. Clark.

Mr. CLARK. It would seem to me that further implementation and growth of this act is tied, I think, hand in hand with the coordinating effect that comes from that National Center. The private nonprofits provide a significant part of what happens in this area and, I concur, cannot do without that service. However, at least in my role as the State's chief legal official and talking with my counterparts, that base or foundation of coordination which deals with training, which deals with support to private nonprofits, which deals with information exchange, which deals with efforts in legislative reform, which deals with actual contact through the toll-free number and others, becomes primarily significant for the reason that it gives us a direction and not just a 50-State effort on a shotgun approach at resolving a very complex and important issue in our country.

Mr. TAYLOR. Mr. Bloss.

Mr. BLOSS. I would only say, I think, as someone representing runaway service agencies, and someone who has the unique position of someone trying to establish service linkage with the missing children organizations, I have watched evolve over the past year an unfortunate adversarial relationship I think between runaway services and missing children organizations, very regrettable, and there is a lot of things impacting on that.

One, however, is the perception of people working in runaway programs who are operating on a shoestring budget, who have not

been able to provide their staff with salary increases for the past 3 or 4 years, seeing an issue which is very emotionally wrenching, like abducted children, without a validation of the scope of the problem becoming so easily funded and addressed while the issue of runaways, who in many ways addresses very difficult issues like family dysfunction for the society to look at, I feel an obligation here to make the point again that we aren't doing enough for runaways in this country.

Mr. TAUB. Does the National Center provide any assistance to runaways, looking at it from your perspective?

Mr. BROS. Not in the sense of providing the services we provide. I mean, there is a referral for us if we get calls from the parent of an abducted child, which occasionally come to our hotline. Usually they come to us after having already been to the National Center, however, and basically are looking for one last, someone to talk to on the line. There has been very little in the way of linkages between the National Center and our agency.

Mr. TAUB. Mr. Chairman, thank you very much.

Mr. KUNER. I thank you, Mr. Taube.

One other question. We know of the importance of aftercare for runaway youth and their families. What kind of aftercare is needed for abducted children and their families? The act authorizes a study on the psychological consequences. What can we do to implement that, improve that?

Mrs. COLLINS.

Mrs. COLLINS. As I said, very little has been done in the past. There haven't been many studies on returned children, because there have been so few that have been studied. Gary Hewitt from the Center for Missing Children gave a report at the Chicago Conference, and I think five children had been returned, one of them having been returned after 7 years, and that was Stephen Stainer from Merced, CA, and his family did not receive any kind of counseling, any kind of help.

I think they need the support of a counselor to help them unite together as a family again. The child has gone through so much trauma and he is an entirely different child than he was when he left, and the family is also entirely different, the unit is different. He is coming back to something different. As I said in my testimony, it is not usually a happy ending because in most cases the children have been sexually and physically abused. So there just needs to be a lot of support, and that is what we feel is important.

Mr. KUNER. Most often a family is a unit that has common and shares common experiences, whereas an abducted child has had an experience the rest of the family sees and feels from a different point of view, but certainly not the same point of view the abducted child has. That must create a real tension, a real problem after that child is returned.

Mrs. COLLINS. It is very difficult. In Stephen's case, he was in a setting where he really sort of had freedom. They were living in a small town, he and the abductor. And he was brought back into his family. There were four other siblings who had been raised with rules and laws in a family setting to help them grow up to be responsible adults, and Stephen had never had that because he had been gone for 7 years. It creates a whole new set of problems for

the family. It is a total upheaval for the family as the child comes back, and it is very difficult to expect the child to come into the family setting and just reunite into the family and act as the other siblings.

Ms. THOMAS. There are practical concerns too. We had two children apparently abducted, they were gone for 14 months, located in Florida and brought back home. In that period of time, the medical insurance had been dropped and all of the practical applications of having a child raised in your home setting, in your family setting, had kind of dissolved in their disappearance. Within a week after the child came home, one of them fell ill, there was no insurance to take care of that problem, they had moved to a smaller home, now they have to move to a larger home. Just a lot of stress factors that go into reentry.

We have a fragmented approach to this whole issue, and all of us on this panel, though we have differences of opinion, I think we would all agree the fragmentation has ultimately hurt everyone involved, from the powers to be in Washington all the way down to the little groups that operate around the country.

Mr. KILPATRICK. Any other response?

Mr. WATKINS. If I may, Mr. Chairman, some members of NAMCO do provide counseling on a local and/or regional basis, and others arrange for counseling to be provided, and I had specific reference to this earlier when I stated we do have some programs in place locally or regionally that could be replicated on a national basis.

Ms. THOMAS. Mr. Chairman, we have used the term counseling, and that is a very easy term to kind of bandy about in the role of support. However, it is important to remember that none of us who work in this field are required to meet any kind of level of education, which means that I could sit here and tell you I am a counselor, I am not a counselor, I could say to my people that I deal with on a daily basis I am a counselor, I am not.

It is an important point there should be some sort of an overseeing body that says that if you are going to provide services on behalf of the missing, you will be trained in traditional ways to deal with the problems you are going to be coming across. That is an important point we have missed in all the testimony that has been presented today.

Mr. KILPATRICK. As a former schoolteacher, I know that counseling is only as good as the knowledge of the counselor and the sensitivity of the counselor. So I think that is why the importance of the authorization for the psychological study which we have in the 1984 bill is very important. We have to really know what the consequences are. And counseling is a dynamic profession, we are learning more and more about the human psyche, more and more about specific problems of specific human beings. Study of the psychological consequences are very important, so counselors will have that knowledge and know how to deal with the family and the victim of that.

So I really emphasize again the importance of that mandated psychological study in that act, and I want to pursue that too with the administrators of that.

Ms. THOMAS. Could I make one more point?

I feel there have been some things left unsaid, and I want to make very clear I don't think there are very many people in the entire field that serve the missing that would say we don't need a National Center for Missing and Exploited Children. What we are saying is we do indeed need a national effort, we need a national data base for several different kinds of services, from legal services to counseling services to transportation services to places for parents to stay when they are recovering their children.

What we need to do is reevaluate and reprioritize, not to eliminate, and I want it to be clear that is not what I am recommending, and I don't think there are very many of us in the country that would be recommending that kind of a move.

Thank you.

Mr. KUNER. I want to thank this panel very much. It has been an excellent panel. We have had some concurring and dissenting views, some different views, but it is clear to me the one common element is that all of you are very interested and concerned with children. That is very important. We want to thank you for your testimony.

Mr. KUNER. Our last panel consists of Mr. William Treanor, executive director of the American Youth Work Center; and Jeremy Margolis, inspector general, State of Illinois. Mr. John Walsh, who had intended to be here this morning, because of an emergency is not able to be here.

Mr. Treanor, you may proceed.

STATEMENTS OF WILLIAM W. TREANOR, EXECUTIVE DIRECTOR, AMERICAN YOUTH WORK CENTER; AND JEREMY MARGOLIS, INSPECTOR GENERAL, STATE OF ILLINOIS

Mr. TREANOR. Thank you, Mr. Chairman.

Mr. Chairman, members of the subcommittee, thank you for the opportunity to testify today on the subject of runaway youth and missing children and the implementation of the Missing Children's Assistance Act.

I would note, Mr. Chairman, the Justice Department testified this morning they are open to all views, yet none of them saw fit to stay for the excellent panel that just concluded or to hear any testimony that rings different than what they have set out to do.

The American Youth Work Center is a national resource and advocacy center. We supply opinions on youth questions, not necessarily in a form designed to please, encourage, or console public officials and special interests in the social welfare or criminal justice fields. We have had no expectations that our work will result in fat Federal grants, career advancement, or invitations to the White House. I should add here that we have succeeded in not meeting those expectations.

Since I began one of the Nation's earliest programs for runaway youth, the D.C. Runaway House in 1968, I have been involved in work to help vulnerable children as both a direct service provider and a national advocate.

It was my privilege to have been the proposer to Congress of both the Runaway Youth Act in 1971 and the Missing Children's in 1982.

In evaluating the recommendations I will make today, it is essential to grasp one salient fact: I strongly support the Congress in its view that runaway teenagers are not missing children as defined in section 403 of Public Law 93-473. That all-important section definition is listed below. Those definitions are comparable with the FBI definitions. They are also listed in my testimony, I won't bother to read those either.

Four times in the last 12 years Congress has passed the Runaway Youth Act by virtually unanimous votes. That companion bill to the Missing Children's Assistance Act states "the problem of locating, detaining and retaining runaway children should not be the responsibility of already overburdened police departments and juvenile justice authorities."

Clearly, the Department of Health and Human Services and the Justice Department's FBI both recognize that runaway juveniles are different both in their characteristics and in what constitutes an appropriate law enforcement response. But that distinction does not seem to be either made nor understood by the Justice Department's Office of Juvenile Justice and its wholly owned and controlled subsidiary, the National Center on Missing and Exploited Children.

While teenage runaways are vulnerable to an unending list of misfortunes, they are not truly missing unless an element of involuntary or deceitful concealment is present--and not just that incidental to the commission of another crime, such as rape or robbery.

I am going to skip through some of this. Mr. Chairman, when I first proposed the Missing Children's Assistance Act, I envisioned a modest federally financed effort to operate a national toll-free hot line to aid in the recovery of truly missing children, principally those 13 and under. It would have been set up via a grant or contract similar to that given by HHS to the National Runaway Switchboard under the Runaway Youth Act.

Let me just pause here and answer some points Mr. Tauke raised this morning. I want to make a quick comparison between the Chicago Runaway Switchboard and the K Street operation of the National Center.

The National Center receives something like 12,000 substantive phone calls a year when you subtract the informational phone calls, et cetera. If you take that number, 75 percent of those 12,000 calls, Mr. Tauke, are more voluntary missing runaways. If you take those 12,000 calls, drive it through the \$2.3 million budget, you get a cost of \$275 per phone call. If you exclude the runaway calls, you get a cost of well over \$1,000 per telephone call handled by the National Center.

By contrast, if you take the 200,000 plus phone calls from runaways and parents handled by the National Runaway Switchboard in Chicago and you divide that through their Federal grant of \$330,000, you come up with an approximate cost per phone call of \$1.50.

Why the great difference? Chicago is using volunteers, Chicago is more consistent with some of the philosophies of your party than perhaps is the National Center, who do not effectively use volunteers. They use volunteers to handle runaway cases, but they

refuse to make referrals of those cases, despite what you heard this morning, to anyone outside the law enforcement system.

Unfortunately, Congress, back now to the Missing Children's Assistance Act, definitions were a little muddled in the final bill that was passed here in 1981. The final compromise language waffled on the definition of a truly missing child and set the stage for what has become a major child welfare tragedy.

In testimony before this subcommittee in March 1983 I said, I won't go through the whole thing, I concluded by saying "Much thought must be given to properly implementing the Missing Children's Act so runaway centers don't become the targets of either law enforcement or missing children's advocates."

And they have, particularly the target of the National Center, that is exactly what has happened with the statistically impoverished National Center for Missing and Exploited Children. The Runaway Youth Act, passed four times by Congress, states, as I said before, it should be dealt with outside the overburdened police departments and juvenile justice system. That is why Congress has appropriated almost \$200 million in the last 12 years for walk-in shelters and foster homes for runaway teenagers.

But soon after Congress passed each of these clearly separate pieces of legislation, targeted at very different young people, the Administrator of the Office of Juvenile Justice and Delinquency Prevention, Alfred Beggs, wrote: "Our programs funded under the Missing Children's Assistance Act will include missing runaways and we will focus on the consequences of running away in our prevention and education efforts."

When Congress passed the act, it set up—I will skip the whole thing. I thought Mr. Blass did an excellent job on that both this morning and in his letter to the New York Times.

During the past 2 years, two different Federal agencies—the Justice Department and HHS's Administration on Children, Youth and Families—have pursued divergent policy goals. They do not cooperate or coordinate with each other, despite the testimony you heard this morning to the contrary, and frankly given the regressive and distorted policies of the Justice Department that has sought to lock up runaway teenagers while doing little for the truly missing child—it is probably just as well.

Just what are the statistical claims that the proponents of hype and hysteria have foisted on a concerned but gullible American public? What are the most responsible estimates?

I will attempt to answer those questions based on my own research and that of numerous investigative reporters both in print and electronic journalism. Mr. Chairman, I have provided you with well over 100 pages of documentation on this point, including the Denver Post Pulitzer Prize winning series on the Truth About Missing Kids.

Mr. KUDER. They will be made part of the committee file.

Mr. TREANOR. I would note that the National Center received a demonstration grant of \$3.3 million in April, 1984—27 months ago. In its grant application, the center listed under "major deliverable program activities" the following:

For the first time, accurate statistics on missing and exploited children will be gathered on local, state and national levels. Precise statistical information will make possible meaningful analysis and diagnosis of the problems.

Instead of a meaningful analysis, the center has aided and abetted one of the most outrageous scare campaigns in modern American history.

The merchants of fear originally claimed that more than 5,000 unidentified dead children are buried each year. They did that right in this subcommittee. What are the facts? According to the College of American Pathologists' national study of 1983 unidentified dead, less than 200 children--dead from all causes--such as accidents, disease, or crime--were buried that year. That is less than 4 percent of the prior claims.

This statistic is particularly important because it was used to touch an almost primeval fear that we all have of not being able to give our loved ones a proper burial--and to promote the next-to-worthless fingerprint campaign. That their estimate was off by a 25-fold exaggeration in an area with no definitional problems gives you a pretty good indication of the reliability of the rest of their numbers. No effort, none, has been made by the Justice Department or the center to correct the record, since the pathologists' study appeared, and accurately educate the media or the American people on these findings. And few--perhaps none, add the pathologists--of these children would have been identifiable had their fingerprints been available to the examining forensic pathologist.

Up to 50,000 stranger abductions have been claimed by numerous people in the missing children's business, and I have attached a letter to Ann Landers from Mr. Denny Abbott, the Adam Walsh Child Resource Center, as one of numerous examples. There are others in the appendix.

Mr. Chairman, that is three cases of stranger-abducted children every day in every State in the United States. Is that believable? I believe that there are less than 300 such cases, using the definition I gave earlier in terms of concealment, whatever, per year.

The next group of truly missing is the noncustodial parental abduction cases. As recently as last week, the NCMEC was telling Florida Today that there are up to 600,000 of these cases each year. There are approximately 5.8 million children of divorce in the United States.

Any thoughtful analysis of these statistics will put the lie to these grossly inflated figures. Divorced and separated parents do not typically kidnap their children back and forth. The NCMEC's hyping of these numbers is an insult to all divorced and separated parents, including President Reagan and many Members of Congress. In fact, after 27 months and a backlog of old cases, the NCMEC has just 2,703 reports of this crime. Mr. Chairman, I am using the figures through March 31. They were using slightly later figures in their testimony.

Presumably, the other 597,297 children's divorced parents don't care enough to report that their child is missing and has been hidden by the other parent. My best estimate is that there are no more than 25,000 to 40,000 such incidents of abduction and concealment each year with many quickly resolved. I agree with Child Find, a New York organization, that the best way to get those chil-

dren home may be through the newly launched Child Find Mediation Program and similar efforts. It is not clear to me increased prosecutions is necessarily going to recover these children. They do not meet the traditional criteria in law enforcement.

We are not seeking here to punish the perpetrator, restitute to the victim and protect the community, we are trying to get the child home in most cases, and every time we increase the penalties, it is not clear that that necessarily is going to increase the number of children coming home. That is a question that remains to be seen.

Next, Mr. Chairman, I don't want to read it, but I want to point out that the National Center's policy of not referring cases to the private voluntary organizations, contrary to the testimony you heard this morning--this is a quote from their own procedures manual: It seems the center wants the PVO's to refer cases to them so they can get the body count and later claim of assistance in recovery often after the local PVO's solve the case despite the NCMEC policies.

I may be wrong, but certainly my margin of error is far less than that of the merchants of fear. Efforts by the Justice Department's NCMEC to go back and reclassify crimes against children--two-thirds of the victims are teenagers--as stranger abduction cases are reprehensible and should stop immediately. The truth is that the Justice Department has a desperate supply problem--an acute shortage of stranger-abducted children. Desperate to validate the raison d'être of the NCMEC, its leadership is currently engaged in an irresponsible effort to falsely build up the number of cases of stranger-abducted children.

Mr. Chairman, if you look at their recent reports, you would see that including the backlog of cases before they opened, they were running roughly one stranger-abduction cases a week prior to the last quarter for which I have a report. Now they are reporting one stranger abduction case every 2 days or less. I suspect this has to do with reclassification of stranger abductions, not the actual increase in the number of children being abducted.

A careful review and comparison of the congressional intent of the Missing Children's Assistance Act and its implementation by the Justice Department shows a marked disparity between the programmatic intent of Congress and the will and policies of former Office of Juvenile Justice Administrator Alfred Regnery and his supporters. I believe that any reasonable person will draw the conclusion that this program has drifted far off course, has been responsible for recovering very few truly missing children, has spent an obscene amount of money--now running at over \$400,000 per month--and has a bloated, topheavy staff whose principal concerns lie far outside the intent of Congress.

The NCMEC was funded 27 months ago with Juvenile Justice Act money as a demonstration. In those 27 months, it has proved itself to be a very demonstrable failure. In a recent NCMEC press release, Mr. Regnery said: "The National Center has established an amazing record of achievement." I will say. But it has been mostly of a malevolent nature. And it has plenty of company in other Regnery-inspired boondoggles that also wasted the small amount of funds Congress has allocated to help young people in trouble.

What is the mission of the National Center? Mr. Chairman, I really don't know. I do know Mr. Howell said in front of this subcommittee a year ago,

The National Center is not a location center. It is not an investigative agency. It is not a legal services provider. Instead it is a clearinghouse of information and technical assistance. Does that mean we located those children? No, we don't locate missing children.

Yet the National Center, in its April 10, 1986, report to its Justice Department parent, claims that it was of assistance in recovery in 4,418 cases. It is the public's and Congress' desire to recover the truly missing to which both the act and the National Center owe their very existence. But that declaration "of assistance in recovery" raises many more questions than it answers. If, as Mr. Howell said, "we don't locate missing children," just what does of assistance in recovery mean? Is it a scoring system like basketball or hockey, where one player gets the point and one other gets the assist? Or does the whole team, including those sitting on the bench, get credit for of assistance in recovery?

We now have more groups raising money to help find stranger-abducted children than the FBI has open cases. When a child, almost always a noncustodial parent abductee is recovered, can all 100-plus groups then claim to be of assistance in recovery? Several directors of legitimate local missing children's groups tell me that the NCMEC could claim to be of assistance in recovery in cases in which they played absolutely no role.

And of the cases for which the National Center for Missing and Exploited Children so readily takes credit, almost 75 percent are teenage runaways. Not only are teenage runaways not missing, Congress has made it very clear responsibility for runaways belongs in the Department of Health and Human Services. The Runaway Youth Act is alive and well and serving some 250,000 young people and their families each year.

Mr. Chairman, the law goes on to talk about setting up a toll-free line for missing kids and specifically talks about 13 and under. That has been ignored by the National Center. Clearly Congress intended runaways over 13 should be served by the nonlaw enforcement system through shelters and hotlines funded by the Runaway Youth Act.

But what about the 784 cases of parental kidnappings and 118 cases of stranger abductions? Just how was the NCMEC of assistance in recovery? What we really have here is a rather egregious example of the post hoc, ergo propter hoc fallacy, roughly translated, my Latin isn't what it used to be, it means the cock crows, the Sun rises, therefore, the crowing cock caused the Sun to rise.

Mr. KILPATRICK. I taught Latin for 10 years. Your translation is adequate.

Mr. TREANOR. The Center was founded in April 1984. The NCMEC would have us believe that since then 4,418 allegedly missing children have returned to their lawful places of residence or are officially dead. Therefore, the NCMEC was of assistance in recovery of all these children. One is supposed to believe that none of these children would have been returned but for, to quote Nicholas Von Hoffman, "this desperately needed institution." And, remem-

ber, 75 percent of the cases were so-called voluntarily missing teenage runaways.

The number of children who returned alive who were either parental kidnappings or abducted by unknown individuals numbered 902. Assuming that all these cases were properly classified, then at best 902 cases have been successfully resolved in 2 years.—118 of the cases were abducted by unknown individuals. But just what is the rate of improvement that has been caused by the lavish spending and fear-oriented public relations campaign conducted by the NCMEC?

What is the negative impact on finding these children that has been caused by the policy of hampering the efforts of PVO's?

Of course, the local PVO's, that are much maligned by the NCMEC, local runaway shelters, and law enforcement officers who have been responsible for returning the missing children since the founding of the Republic, and not just since April 1984, tracked down most of the noncustodial parental kidnappings. That is except in those not unusual cases where the child is voluntarily returned.

Since teenage runaways usually return home of their own volition, it is even more dubious to speak of being of assistance in recovery in these cases. And just who are these kids? Sorry, says the NCMEC—now that we have put the kid's picture on everything from TV to gas bills to kitty litter bags—we can't tell you. Client confidentiality, you know.

I will skip over the unfortunate case of Lindsey Householder, one of the stranger-abducted cases that the national center left in the examples and it received coverage recently in the Washingtonian.

While the figures of the NCMEC are mostly statistical junk, they do tell us one thing. Even the group with the largest stake in coming up with 50,000 stranger abductions each year and 600,000 noncustodial abductions can find only 3,316 cases in 24 months.

Frankly, these figures only bolster the bona fide claims of the FBI, Denver Post, Boston Globe, American Youth Work Center, and the Child Protection Report on the actual scale of this serious problem.

For this observer, the most professionally distressing aspect of the entire Justice Department-orchestrated show has been the reluctance of Alfred Regnery's handpicked board and staff of the NCMEC to try to get to the truth about missing children.

For example, I am told that few of the accurate press stories have ever been distributed to the NCMEC's own board, that is the group that its \$3.3 million grant application says will be responsible for the evaluation of the NCMEC, State police, child protection agencies, the Attorney General's Advisory Board on Missing Children, local private voluntary organizations seeking truly missing children, or runaway youth shelters which deal with the NCMEC's so-called voluntarily missing.

Clearly, only half-truths and fantasies that promote fear among our Nation's parents ever wind up in the avalanche of NCMEC press releases.

Most of the groups cited above have received mailings on the truth about missing children from the American Youth Work Center. With virtually no budget, we have done a far better and certainly more creditable job of factually informing child protection

professionals and journalists than has the NCMEC with its \$400,000 monthly budget.

But the Justice Department's NCMEC and its board didn't stop there. Even though the NCMEC has a bevy of lawyers, they hired an outside lawyer to harass two excellent, reputable newsletters, *Child Protection Report* and *Hot Line*, published by Children's Rights of New York.

In May 1985, in an apparent effort to stop the truth about the number of missing children from getting out, Mr. Allen Dye wrote these two newsletters, warning of legal action if they didn't stop telling the truth.

No specific examples of alleged falsehoods were cited by this hired gun for the Justice Department. He just wanted the newsletters to stop telling the truth. Just who paid Mr. Dye's legal fees for this effort?

Did the taxpayers pay the fees through the Missing Children's Assistance Act appropriation, or did the NCMEC use money contributed to it to find truly missing children? Mr. Dye, Mr. Regnery, and the other lawyers were apparently unfamiliar with the first amendment and the NCMEC's public relations shop had never heard of John Peter Zenger.

Strenuous efforts have been made by the Justice Department to deny the American Youth Work Center a platform to carry out our public education campaign on behalf of runaway youth and missing children.

At one Justice Department-financed conference, they refused to list my name in the program.

At a recent conference in Chicago, the NCMEC singled me out to refuse to allow me to speak, despite considerable support on my behalf from the conference planning committee.

Why all this effort to muzzle and muscle the opposition? They know we care, and care deeply, about the plight of vulnerable children. My entire adult life has been devoted to helping youth in trouble. Basically, it is because they think we are raining on their parade.

These people think they first discovered children at risk. They didn't, but they did discover new and powerful symbols—the stranger-abducted child and the voluntary missing.

The public attention and donations that this cause has generated is impressive—even alarming. Legitimate parental fears, particularly those of working women, have been skillfully manipulated through patently false statistics and oft-told, gruesome, heart-wrenching stories about murdered children.

What evangelical Christian wouldn't be startled to read in "Christian Voice" that "the tragic truth is that an estimated 50,000 children disappear from every corner of America each year, never to be heard from again. According to experts, many are believed to be forced into lives of sex slavery, while others are murdered for the sexual pleasure of their captors."

This group, along with all the others that hype the figures, solicits contributions to aid these fortunately largely fictional children.

Once again, money may be the cause for much of the sad state of affairs that the effort to aid the truly missing children now finds itself.

When the public is told by, say, the Denver Post or CBS that not millions, but only 100 stranger abducted children are missing, does that help or hurt contributions?

Why has there been no effort prior to the emergence of the National Association of Missing Children's Organizations to set standards for local private organizations? With criminal investigations of fly-by-night missing children's groups occurring from Florida to California, why didn't the NCMEC come to the aid of the legitimate local and voluntary groups and condemn the flat-out crooks? And what, other than an insatiable desire for money, can explain the reneged pledge of the NCMEC made in its initial grant application to give 20 percent of private funds raised to local private missing children's organizations?

Frankly, I have substantial reason to believe that the NCMEC and its few--and also Missing Childrens' Assistance Act funded--allies want to put the private organizations--good, bad or indifferent--out of business.

When the White House announced the establishment of the NCMEC, it said the Center would have a staff of 30 to 32 people. Two years later, they have 52 staff members, \$400,000 a month to spend, and are complaining that they don't have enough staff or money. That is what is called chutzpah.

Mr. Chairman, if only those extra 20 paid staff positions were located with legitimate PVO's, many more parentally abducted children would be back home where they belong this very day.

What many of the PVO's, still 2 years after the passage of the bill they supported, want to know is why they cannot get the modest financial support that Congress intended. As one embittered director of a legitimate local PVO said to me: "Has the NCMEC and the Office of Juvenile Justice become the National Center for Exploiting Missing Children?"

The time for a major shakeup of the Office of Juvenile Justice's MCAA Program has come. What is needed is a thorough de-regnerization campaign, not just the welcome removal of his deputy, Jim Wooten, or the addition of a \$95,000 per year manager at the NCMEC.

Mr. Chairman, when the NCMEC went along with Mr. Regnery's avowed goal of jailing runaway teenagers, it swallowed what I believe will be its poison pill. The unrelenting negative--even hostile--publicity that the NCMEC has so ineptly drawn to itself is a direct result of its foolish and counterproductive policy of hyping the figures, not only in each category of the truly missing, but for the number of teenage runaways as well.

Sadly, the bottom line on all this pro and con news coverage and legislative action is that very few truly missing children have been located that would not have been found or voluntarily returned if the missing children's industry had stuck with the facts. There is, in my view, more than enough misery among children and crimes against them to go around.

Why make up more?

In a sense, even though the so-called facts on which the missing children's hysteria rests are demonstrably false, the hypesters have won. They need to get caught in a bold-faced lie. Mr. Howell told

The Orlando Sentinel last August, "There are 1.8 million missing children; you better believe it."

Even though no responsible, thoughtful journalist, social worker or law enforcement official any longer believes these willful misrepresentations, their opinions are irrelevant. American parents have swallowed this modern-day fish story hook, line, and sinker. It was 1984's most Orwellian success story.

The notable purposes of the Missing Children's Act and the Missing Children's Assistance Act have been used for partisan political purposes and by many irresponsible organizations and individuals.

I have come to really admire the disparate band of people who lead the legitimate private voluntary organizations. I wish I could list here some of them by name, but given the politically charged and venal manner in which the Justice Department's NCMEC bestows grants and favors, my praise would damn them in the eyes of the people with the money.

Greed, a thirst for power and publicity, and a driving desire to corner the market or monopolize the missing children's business has characterized the behavior of the NCMEC leadership, including its board of directors who have been happy to go along for the ride.

Is that what Congress intended—a staff of 52, spending of \$400,000 per month, endless press releases, flat-out bribes to State governments to set up unneeded and redundant missing children's clearinghouses, taxpayer-supported attacks on first amendment rights, phony statistics, support for the jailing of children, and selling fear along with toys and pineapples?

Let's get back to the business of finding and returning truly missing children. It is the position of the American Youth Work Center that it can best be done by radically shifting the manner in which the national effort and spending of funds is managed.

I have some recommendations, Mr. Chairman, which won't come as any surprise.

One, dismantle the NCMEC. Within a few months, only its staff and board of directors will miss it.

Two, shift its legitimate functions as follows:

Set up a unit within the FBI to investigate all abducted by unknown individuals if the criteria established in the Missing Children's Assistance Act are met and then further refined through FBI regulations.

Follow the successful example of HHS with its National Run-away Switchboard by putting out competitive bids.

Three, most of the necessary research and written work on this issue has now been done. Excellent manuals on investigative technique have been produced by the NCMEC. In the future, this type of work can be done by the FBI Academy, the Office of Juvenile Justice staff, or through competitive contract. Again, there is no need to continue the NCMEC.

Four, transfer the supervisory responsibility for the national incidence study to the Census Bureau.

They are cooking the books. I don't know a soul at the Census Bureau; let those guys crunch these numbers. If the Justice Department crunches these numbers, we will come up with 50,000 stranger abductions, the whole bit.

This may, practically speaking, be my most important recommendation.

Five, meet the public information, national resource center and clearinghouse function required in section 404(2) through competitive contracting.

Again, groups such as Child Find Contact Center and the National Child Safety Council can do the job better, cheaper, and without the kind of nauseating self-promotion campaign which has become the No. 1 priority of the NCMEC.

Six, terminate the grant to the Fort Lauderdale-based Adam Walsh Child Resources Center to promote fingerprinting. Let's face it. The cat is out of the bag. Fingerprinting neither prevents a stranger abduction nor aids in the return of a dead victim. Never has, never will.

Seven, terminate the shockingly inflated sweetheart contract with the Denver-based Institute for Nonprofit Management. This contract, supposedly to train PVO's, will cost well over \$10,000 per legitimate PVO. Give the money to the PVO's and let them buy their own training locally.

The lady just testified, they found 200 kids, and some guy with a half a million dollar grant from Denver is going to come in and give her management assistance? Ridiculous.

Eight, take the \$2 to \$3 million saved by adopting these recommendations, plus the money in the National Endowment, and give it to the local PVO's and those national groups who responsibly work to find the truly missing.

Nine, some say money is the source of all evil. Money, or really too much of it, has helped lead to the squalid condition of the effort to recover the truly missing.

Mr. Chairman, I recommend that \$2 million be subtracted from the fiscal year 1987 appropriation for the MCAA and added to the fiscal year 1987 appropriation for the Runaway and Homeless Youth Act.

How can the NCMEC object? After all, 95 percent of all of their missing children are teenage runaways and 75 percent of their intake cases are for the voluntary missing. The surest way to get runaways home is not to jail them or put their pictures up in airports, but to increase the number of programs for runaway youth and to selectively increase the funding level of existing programs.

Increase the appropriation for the runaway Youth Act by the same amount of money, \$2 million. You would get a lot more kids home that way.

When the Missing Children's Assistance Act comes before this committee for reauthorization, I suggest the following:

One, clarify the differences between runaway teenagers and missing children for the sake of both groups of children.

Two, abolish the Attorney General's Advisory Board on Missing Children unless it can think of something better to do with its leadership mandate than urging the jailing of children.

Three, transfer of the Missing Children's Assistance Act—except for criminal investigations of stranger and noncustodial parental abduction cases—to HHS's Administration on Children, Youth and Families.

Four, mandate direct funding of legitimate PVO's.

Mr. Chairman, I ask that the attachments to my testimony be made a part of the official record. These press clippings and documents will substantiate my testimony in detail and also provide a permanent record of the truth about missing children.

In this way, Mr. Chairman, I sincerely hope that journalists, public officials, and human service and criminal justice professionals will be deterred from further aiding the tragic folly that has befallen the national effort to locate the truly missing.

Thank you, Mr. Chairman.

[The prepared statement of William Treanor follows.]

PREPARED STATEMENT OF WILLIAM TREANOR, EXECUTIVE DIRECTOR,
AMERICAN YOUTH CENTER

Mr. Chairman and members of the subcommittee. Thank you for the opportunity to testify today on the subject of runaway youth and missing children and the implementation of the Missing Children's Assistance Act (PL 98-673).

The American Youth Work Center is a national resource and advocacy center. We supply opinions on youth questions, not necessarily in a form designed to please, encourage or console public officials and special interests in the social welfare or criminal justice fields. We have had no expectations that our work will result in fat Federal grants, career advancement or invitations to the White House. I should add here that we have succeeded in not meeting those expectations.

Since I began one of the nation's earliest programs for runaway youth, the D.C. Runaway House in 1968, I have been involved in work to help vulnerable children as a both a direct service provider and a national advocate.

It was my privilege to have been the proposer to Congress of both the Runaway Youth Act in 1971 and the Missing Children's Assistance Act in 1983. During the past 18 years, I have observed and hopefully influenced the development of services for both teenage runaways and missing children.

In evaluating the recommendations I will make today, it is essential to grasp one salient fact: I strongly support the Congress in its view that runaway teenagers are not "missing children" as defined in Section 403 of PL 98-673. That all-important section defines a missing child as follows:

"The term 'missing child' means any individual less than 18 years of age whose whereabouts are unknown to such individual's legal custodian if:

A. The circumstances surrounding such individual's indicate that such individual may possibly have been removed by another from the control of such individual's legal custodian without such custodian's consent; or;

B. The circumstances of the case strongly indicate that such individual is likely to be abused or sexually exploited;"

These Congressional definitions are compatible with those of the FBI which include the following:

* Disability -- A person of any age who is missing and under proven physical and/or mental disability or is senile, thereby subjecting himself or others to personal and immediate danger.

* Endangered -- A person of any age who is missing and is in the company of another person under circumstances indicating that his physical safety is in danger.

* **Involuntary** -- A person of any age who is missing under circumstances indicating that the disappearance was not voluntary, i.e., abduction or kidnapping.

and finally, the FBI definition of a runaway teenager:

* **Juvenile** -- A person who is missing and declared emancipated as defined by the laws of his state of residence and who does not meet the criteria of the other three categories.

Four times in the last 12 years Congress has passed the Runaway Youth Act by virtually unanimous votes. That companion bill to the Missing Children's Assistance Act states "the problem of locating, detaining and retaining runaway children should not be the responsibility of already overburdened police departments and juvenile justice authorities."

Clearly, the Department of Health and Human Services and the Justice Department's FBI both recognize that runaway juveniles are different both in their characteristics and in what constitutes an appropriate law enforcement response. But that distinction does not seem to be either made nor understood by the Justice Department's Office of Juvenile Justice and its wholly-owned and controlled subsidiary, the National Center on Missing and Exploited Children.

While teenage runaways are vulnerable to an endless list of misfortunes, they are not truly "missing" unless an element of involuntariness or deceptive concealment is present -- and not just that incidental to the commission of another crime, such as rape or robbery. The claims and counterclaims on this apparently esoteric point have brought both governmental and non-governmental efforts to aid "truly missing" children to the brink of disaster. The unsupported and purposeful exaggerations by the Justice Department's National Center for Missing and Exploited Children -- and others seeking to mislead and alarm the American people -- must be brought to an immediate end if we are to regain public confidence and help both the truly missing child and teenage runaways.

In 1981, when I proposed to this Subcommittee and to the Senate Judiciary Committee's Subcommittee on Juvenile Justice the enactment of what is now the Missing Children's Assistance Act, I had a number of things in mind. As a staff professional on the Senate Subcommittee in 1981 and 1982, I had become familiar with the largely ignored problem of truly missing children. As the Congress worked on the passage of the 1982 Missing Children's Act it is now obvious to all but the most obtuse observer that the scale and scope of the truly missing child problem was misunderstood by everyone, including myself. Even as that early data showed figures on the number of missing children were being thrown around by "experts" in Congress, by local missing children's groups and the media.

In 1983, the television drama "Adam" was aired by the NBC Entertainment Division. It caused a sensation and evoked sincere responses from millions of people -- including myself -- in reaction

to what was believed to be a problem involving hundreds -- or possibly thousands -- of criminally concealed children. I was concerned that the public level of interest in this very real problem could not be adequately sustained. I was concerned that Child Find and other legitimate small private voluntary organizations actually searching for missing children could not maintain their efforts without some federal financial assistance. And I was also concerned about the chances of the Juvenile Justice and Runaway Youth Acts being reauthorized by Congress the following year.

Because of these concerns I approached the appropriate Congressional staff and set up a meeting at the Senate Subcommittee on Juvenile Justice that included Senator Paula Hawkins' staff attorney, Jay Howell, and the staff director of this subcommittee at that time, Gordon Raley. At that meeting on October 12, 1983, I presented my idea for a new Missing Children's Assistance Act to complement the 1982 Missing Children's Assistance Act and the 1974 Runaway Youth Act.

I envisioned a modest federally-financed effort to operate a national toll-free hotline to aid in the recovery of truly missing children, principally those 13 and under. It would have been set up via a grant or contract similar to that given by HHS to the National Runaway Switchboard in Chicago under the Runaway Youth Act.

In addition, I expected a substantive federal leadership effort to promote a wide range of services to parents of missing children along with other activities aimed squarely at children who, to quote again from Section 403: "have been removed by another from the control of such individual's legal custodian without such custodian's consent."

Unfortunately, the final compromise language of the Missing Children's Assistance Act waffled on the definition of a "truly missing child" and set the stage for what has become a major American child welfare tragedy.

In testimony in support of the Missing Children's Assistance Act before this subcommittee on March 7, 1983, I said:

"I want to draw the subcommittee's attention to the importance of distinguishing between runaways and missing children. One has fled home voluntarily and can, with the kind of service provided by the runaway youth centers, be persuaded to return home. Missing children are, of course, the innocent targets of criminal activity. Much thought must be given to properly implementing the Missing Children's Assistance Act so that runaway centers don't become targets for either law enforcement or missing children's advocates."

That is exactly what has happened with the Justice Department's statistically-impooverished National Center for Missing and Exploited Children taking aim at runaway teenagers. The Runaway Youth Act, passed four times by Congress, states in Section 302(4) that: "the problem of locating, detaining and returning runaway children should not be the responsibility of already overburdened police departments and juvenile justice authorities." And that is why the Congress has

appropriated almost \$200 million in the last 12 years for walk-in shelters and foster homes for runaway teenagers.

But soon after Congress passed each of these clearly separate pieces of legislation, targeting at very different young people, the administrator of the Office of Juvenile Justice and Delinquency Prevention, Alfred Regnery, wrote: "Our (OJJDP's) programs funded under the Missing Children's Assistance Act will include missing runaways and we will focus on the consequences of running away in our prevention and education efforts."

When Congress passed the Missing Children's Assistance Act, it set up the Attorney General's Advisory Board on Missing Children. As I recall, the board was established in part because of the abolition of the National Advisory Committee on Juvenile Justice and Delinquency Prevention (NACJ), a bipartisan committee under Presidents Ford and Carter, the NACJ, after the Carter nominees were "sacked," had become a stronghold of narrow and regressive thinking in the juvenile justice field.

The NACJ was dominated by Judge John R. Milligan of Canton, Ohio. Congress disdained its recommendations and recognized that its appointments were of such questionable caliber that it wisely abolished the committee.

Unfortunately, with the help of Alfred Regnery, the ubiquitous Judge Milligan surfaced as the principal author of the Attorney General's Advisory Board on Missing Children's first report. The most charitable thing one can say about this report -- "America's Missing and Exploited Children: Their Safety and Their Future" -- is that Mr. Regnery and Judge Milligan sold a hill of goods to the chairman, Mayor Donohue of Toledo, Ohio and the rest of the board.

The report has been rebutted in detail elsewhere. Suffice it to say here that this shoddy report is filled with unfounded characterizations of runaway youth and the people who work with them. It completely misrepresents the Juvenile Justice Act and calls for the repeal of the Act's mandate that runaways and other status offenders not be jailed. In effect, the Board's report called for gutting both the Juvenile Justice and Runaway Youth Acts. It's not surprising to hear from sources that the report was well-received by Attorney General Edwin Meese III, Mr. Regnery and the National Center for Missing and Exploited Children.

Apparently the Board has discovered the true scope of the truly missing children's problem and, being unable to find those kids, has decided to look up some others. Hopefully, Mr. Chairman, the Advisory Board has learned its lesson from the hostile reception this reactionary report received. One more dishonest and regressive report such as this from the Board and Congress should consider abolishing the Attorney General's Advisory Board on Missing Children -- and once again put Judge Milligan out of the business of making national juvenile justice policy recommendations.

During the past two years, two different federal agencies -- the Justice Department and its National Center for Missing and Exploited Children and HHS's Administration on Children, Youth and Families -- have pursued divergent policy goals. They do not cooperate or coordinate with each other and, frankly, given the regressive and distorted policies of the Justice Department that has sought to lock up runaway teenagers while doing little for the truly missing child -- it's probably just as well.

Just what are the statistical claims that the proponents of hype and hysteria have foisted on a concerned but gullible American public?

What are the most responsible estimates on the number of truly missing children?

I will attempt to answer those questions based on my own research and that of numerous investigative reporters both in print and electronic journalism. I would note that the National Center on Missing and Exploited Children received a demonstration grant of \$3.3 million in April, 1984 -- 27 months ago. In its grant application, the Center listed under "major deliverable program activities" the following:

"For the first time, accurate statistics on missing and exploited children will be gathered on local, state and national levels. Precise statistical information will make possible meaningful analysis and diagnosis of the problems."

Instead of a "meaningful analysis," the Center has aided and abetted one of the most outrageous scare campaigns in modern American history.

The merchants of fear originally claimed that more than 5,000 unidentified dead children are buried each year! What are the facts? According to the College of American Pathologists' national study of 1983 unidentified dead, less than 200 children -- dead from all causes -- such as accidents, disease or crime -- were buried that year. That's less than four per cent of the prior claims.

This statistic is particularly important because it was used to touch an almost primeval fear that we all have of not being able to give our loved ones a proper burial -- and to promote a next-to-worthless fingerprint program. That their estimate was off by a 25-fold exaggeration in an area with no definitional problems gives you a pretty good indication of the reliability of the rest of their numbers. No effort -- none -- has been made by the Justice Department or the Center to correct the record and accurately educate the media or the American people on these findings. And few, perhaps none, add the pathologists, of these children would have been identifiable had their fingerprints been available to the examining forensic pathologist.

Up to 50,000 stranger abductions have been claimed by numerous people in the missing children's business such as Denny Abbott, executive director of the Adam Walsh Child Resource Center (published letter to

Ann Landers, February, 1984) and the Justice Department's National Center on Missing and Exploited Children (1984 brochure). That's three cases per day per state! Is that believable? In truth, the abduction and concealment of small children by strangers is a blessedly rare crime. I believe there are less than 300 such cases each year.

The next group of the truly missing are the non-custodial parental abduction cases. As recently as last week, the NCMEC was telling Florida Today that there are up to 600,000 of these cases each year. There are approximately 5.8 million children of divorce in the United States. Of course, their distribution across the span from birth to age 18 is one with few newborns and many teenagers.

Any thoughtful analysis of these statistics will put the lie to these grossly-inflated figures. Divorced and separated parents do not typically kidnap their children back and forth. The NCMEC's hyping of these numbers is an insult to all divorced and separated parents, including President Reagan and many Members of Congress. In fact, after 27 months and a backlog of old cases, the NCMEC has just 2,703 reports of this crime. Presumably the other 597,297 children's divorced parents don't care enough to report that their child is missing and has been hidden by the other parent. My best estimate is that there are no more than 25,000 to 40,000 such incidents of abduction and concealment each year with many quickly resolved. I agree with Child Find that the best way to get those children home may be through the newly-launched Child Find mediation program and similar efforts.

The NCMEC pushes increased penalties and prosecution. The more difficult of these cases are most often solved by local PVO's. Too bad the NCMEC policy is

"NO referrals of cases nor lead-information will be made to PVO's nor any private investigational agencies/persons, nor parents/guardians. All lead-information will be forwarded only to the ORI agency (and FBI and state clearing house, police, if assisting.)"

It seems the NCMEC wants the PVO's to refer cases to them so they can get the body count and later claim "of assistance in recovery" often after the local PVO's solve the case despite the NCMEC policies.

I may be wrong, but certainly my margin of error is far less than that of the merchants of fear. Efforts by the Justice Department's NCMEC to go back and reclassify crimes against children (two-thirds of the victims are teenagers) as stranger abduction cases are reprehensible and should stop immediately. The truth is that the Justice Department's NCMEC has a desperate supply problem -- an acute shortage of stranger-abducted children. Desperate to validate the raison d'etre of the NCMEC, its leadership is currently engaged in an irresponsible effort to falsely build up the number of cases of stranger-abducted children.

Mr. Chairman, a careful review and comparison of the Congressional intent of the Missing Children's Assistance Act and its implementation by the Justice Department shows a marked disparity between the programmatic intent of Congress and the will and policies of former Office of Juvenile Justice Administrator Alfred Regnery and his supporters. Because of my intimate involvement with drafting and passing the Missing Children's Assistance Act and because of my ability (apparently lacking at the Justice Department and its NCMEC) to read and understand the law, I believe that any reasonable person will draw the conclusion that this program has drifted far off course; has been responsible for recovering very few truly missing children; has spent an obscene amount of money -- now running at over \$400,000 per month -- and has a bloated, top-heavy staff whose principal concerns lie far outside the intent of Congress.

The NCMEC was funded 27 months ago with Juvenile Justice Act money as a demonstration. In those 27 months, it has proved itself to be a demonstrable failure. In a recent NCMEC press release, Mr. Regnery said: "The National Center on Missing and Exploited Children has established an amazing record of achievement." I'll say! But it has been mostly of a malevolent nature. And it has plenty of company in other Regnery-inspired boondoggles that also wasted the small amount of funds Congress has allocated to help young people in trouble.

What is the mission of the NCMEC? After carefully watching the birth and growth of this operation, I must report to this committee that I don't really know -- nor do they.

I do know what the NCMEC does not do -- although it certainly knows how to spend a lot of money not doing it -- and that is finding the truly missing. To quote Jay Howell, executive director of the NCMEC, in testimony before this subcommittee on May 21, 1985: "The National Center for Missing and Exploited Children is not a location center. It is not an investigative agency. It is not a legal services provider. Instead it is a clearing house of informational and technical assistance. Does that mean we located those children? No, we don't locate missing children."

Yet, the National Center for Missing and Exploited Children, in its April 10, 1986 report to its Justice Department parent, claims that it was "of assistance in recovery" in 4,418 cases. It is the public's and Congress' desire to recover the truly missing to which both the Missing Children's Assistance Act and the National Center for Missing and Exploited Children owe their very existence. But that declaration "of assistance in recovery" raises many more questions than it answers. If as Mr. Howell said, "we don't locate missing children" just what does "of assistance in recovery" mean? Is it a scoring system like basketball or hockey where one player gets the point and one other gets the assist? Or does the whole team, including those sitting on the bench, get credit for "of assistance in recovery?"

We now have more groups raising money to help find stranger-abducted

children than the FBI has open cases. When a child, almost always a non-custodial parent abductee is recovered, can all 100-plus groups then claim to be "of assistance in recovery?" Several directors of legitimate local missing children's groups tell me that the NCMEC could claim to be "of assistance in recovery" in cases in which they played absolutely no role in the recovery.

And of the cases for which the National Center for Missing and Exploited Children so readily takes credit, almost 75 per cent are teenage runaways. Not only are teenage runaways not missing, Congress has made it very clear where responsibility for runaways belongs -- in the Department of Health and Human Services where the Runaway Youth Act program is alive and well and serving some 250,000 young people and their families each year.

Let me quote again from the Missing Children's Assistance Act for the benefit of the Justice Department's National Center for Missing and Exploited Children.

The law says, in Section 404 (b) (1), that the Justice Department shall "establish and operate a national toll-free telephone line by which individuals may report information regarding the location of any missing child, or other child 13 years of age or younger whose whereabouts are unknown to such child's legal custodian, and request information pertaining to procedures necessary to reunite such child with such child's legal guardian."

Clearly, Congress intends that runaways over 13 be served by the non-law enforcement system and through the shelters and hot line funded by the Runaway Youth Act.

And what about the 784 cases of parental kidnappings and 118 cases of stranger-abductions? Just how was the NCMEC "of assistance in recovery?" What we really have here is a rather egregious example of the post hoc, ergo propter hoc fallacy (the cock crows, the sun rises, therefore the crowing cock caused the sun to rise.)

The NCMEC was founded in April, 1984. The NCMEC would have us believe that since then 4,418 allegedly missing children have returned to their lawful places of residence or are officially dead. Therefore the NCMEC was "of assistance in recovery" of all these children. One is supposed to believe that none of these children would have been returned but for, to quote Nicholas Von Hoffman, writing in The New Republic, "this desperately-needed institution." And remember, 75 per cent of the cases were so-called "voluntarily missing" teenage runaways.

The number of children who returned alive who were either "parental kidnappings" or "Abducted by Unknown Individuals" numbered 902 children. Assuming that all these cases were properly classified, then at best 902 cases have been successfully resolved in two years. 118 of the cases were "Abducted by Unknown Individuals." But just what is the rate of improvement that has been caused by the lavish spending and fear-oriented public relations campaign conducted

by the NCMEC? And what is the negative impact on finding these children that has been caused by the Justice Department and the NCMEC policy of hampering the efforts of PVO's.

After talking to many dedicated individuals working for law enforcement agencies and local private voluntary organizations (PVO's) who actually are seeking missing children, I am of the following opinion: the rate of recovery has been virtually constant over the past few years. Virtually all recoveries are made by (1) voluntary return (2) police investigations (3) efforts of PVO's and (4) luck or happenstance. That still leaves a few cases, each and every one of which has been ballyhooed by the NCMEC.

Mr. Chairman, the existence of the NCMEC has probably brought home very few children and the demise of the NCMEC would most probably not result in a single recoverable child remaining among the missing.

Of course, the local PVO's (that are much maligned by the NCMEC), local runaway shelters and law enforcement officers who have been responsible for returning the missing children since the founding of the Republic, and not just since April of 1984, tracked down most of the non-custodial parental kidnappings. That is except in those not-unusual cases where the child is voluntarily returned.

Since teenage runaways usually return home of their own volition, it is even more dubious to speak of being "of assistance in recovery" in these cases. And just who are these kids? Sorry, says the NCMEC -- now that we've put the kid's picture on everything from TV to gas bills to kitty litter bags -- we can't tell you. Client confidentiality, you know.

Since it is impossible to review all the NCMEC case records, let me tell you briefly of one case that is in the public record. In early January, two-week-old Lindsey Householder was reported abducted from her mother's pickup truck parked in front of a grocery store in Winchester, Va. What did our experts at the NCMEC do to be "of assistance in recovery?" They put out a press release.

Listen to what writer Amy Cunningham reported in an article about the case in the August, 1986 issue of Washingtonian magazine:

"He (NCMEC staffer Charles Pickett) knew that the first 24 hours were critical to any child's rescue, so it was important to get the media involved right away. He also knew that the baby's quick recovery might bolster the image of the center, which had been under fire lately.....The center's image as the protector of missing children was becoming tarnished. So when the call about the Householder infant came in that Friday afternoon, it brought with it the possibility of a dramatic baby rescue that could boost the center's reputation."

In other words, it was a golden opportunity for another round of media attention for the in-very-short-supply-of-stranger-abducted-children NCMEC. The NCMEC press release gushes on about how an expert from

Canada had been dispatched to aid the distraught mother. Over the next few weeks, millions of people in the Baltimore-Washington area and beyond were kept posted by the NCMEC public relations operation. Little or no heed was paid to the NCMEC's own investigative manual which says: "The investigator should consider the possibility that another family member or someone close to the missing child is responsible for the disappearance and possible death of the child. A polygraph examination of parents and other caretakers at the outset could lead to the resolution of the case."

The grim end came three weeks later when police finally administered a polygraph test to the mother who then confessed to killing the child and throwing the body into the river.

Two months later, I received the Illinois I-Search Bulletin on Missing Children. Sure enough, there was the picture of little Lindsey Householder -- listed as a "stranger-abduction."

While the figures of the NCMEC are mostly statistical junk, they do tell us one thing. Even the group with the largest stake in coming up with 50,000 stranger-abductions each year and 600,000 non-custodial abductions can find only 3,316 cases in 24 months. Frankly, these figures only bolster the bona fide claims of the FBI, Denver Post, Boston Globe, American Youth Work Center and the Child Protection Report on the actual scale and scope of this serious problem.

For this observer, the most professionally distressing aspect of the entire Justice Department-orchestrated show has been the reluctance of Alfred Regnery's hand-picked board and staff of the NCMEC to try to get to the truth about missing children. For example, I am told that few of the accurate press stories have ever been distributed to the NCMEC's own Board (that's the group that its \$3.3 million grant application says will be responsible for the evaluation of the NCMEC), state police, child protection agencies, the Attorney General's Advisory Board on Missing Children, local private voluntary organizations seeking truly missing children, or runaway youth shelters which deal with the NCMEC's so-called "voluntarily missing." Clearly, only half-truths and fantasies that promote fear among our nation's parents ever wind up in the avalanche of NCMEC press releases.

Most of the groups cited above have received mailings on the truth about missing children from the American Youth Work Center. With virtually no budget we have done a far better and certainly more creditable job of factually informing child protection professionals and journalists than has the NCMEC with its \$400,000 monthly budget.

But the Justice Department's NCMEC and its Board didn't stop there. Even though the NCMEC has a bevy of lawyers, they hired an outside lawyer to harass two excellent, reputable newsletters, Child Protection Report and Hot Line, published by Children's Rights of New York.

In May, 1985, in an apparent effort to stop the truth about the number

of missing children from getting out, Mr. Allen Dye wrote these two newsletters, warning of legal action if they didn't stop telling the truth. No specific examples of alleged falsehoods were cited by this "hired gun" for the Justice Department. He just wanted the newsletters to stop telling the truth. Just who paid Mr. Dye's legal fees for this effort? Did the taxpayers pay the fees through the Missing Children's Assistance Act appropriation, or did the NCMEC use money contributed to it to find truly missing children? Mr. Dye, Mr. Regnery and the other lawyers were apparently unfamiliar with the First Amendment and the NCMEC's public relations shop had never heard of John Peter Zenger.

Strenuous efforts have been made by the Justice Department to deny the American Youth Work Center a platform to carry out our public education campaign on behalf of runaway youth and missing children. At one Justice Department-financed conference, they refused to list my name in the program. (See attached clipping from the Pittsburgh Post-Gazette). At a recent conference in Chicago, the NCMEC singled me out to refuse to allow me to speak, despite considerable support on my behalf from the conference planning committee.

Why all this effort to muzzle and muscle the opposition? They know we care, and care deeply, about the plight of vulnerable children. My entire adult life has been devoted to helping youth in trouble. Basically, it is because they think we are raining on their parade. These people think they first discovered children at risk. They didn't. But they did discover new and powerful symbols -- the stranger-abducted child and the "voluntary missing." The public attention and donations that this cause has generated is impressive -- even alarming. Legitimate parental fears, particularly those of working women, have been skillfully manipulated through patently false statistics and oft-told, gruesome, heart-wrenching stories about murdered children. What evangelical Christian wouldn't be startled to read in "Christian Voice" that "the tragic truth is that an estimated 50,000 children disappear from every corner of America each year, never to be heard from again. According to experts, many are believed to be forced into lives of sex slavery, while others are murdered for the sexual pleasure of their captors."

This group, along with all the others that hype the figures, solicits contributions to aid these fortunately-largely fictional children. Once again, money may be the cause for much of the sad state of affairs that the effort to aid the truly missing children now finds itself. When the public is told by, say, the Denver Post or CBS that not millions, but only a hundred stranger-abducted children are missing, does that help or hurt contributions? And what other than competition for money can explain the patent greed of the NCMEC to corner the market on the Missing Children's Assistance Act appropriations and individual contributions? Why has there been no effort prior to the emergence of the National Association of Missing Children's Organizations to set standards for local private organizations? With criminal investigations of fly-by-night missing children's groups occurring from Florida to California, why didn't the NCMEC come to the aid of the legitimate local and voluntary groups and

condemn the first-rate crooks? And what, other than an insatiable desire for money can explain the reneged pledge of the NCMEC made in its initial grant application to give 20 per cent of private funds raised to local private missing children's organizations?

Frankly, I have substantial reason to believe that the NCMEC and its few (and also Missing Childrens' Assistance Act-funded) allies want to put the private organizations -- good, bad or indifferent -- out of business.

When the White House announced the establishment of the NCMEC, it said the center would have a staff of 30 to 32 people. Two years later, they have 52 staff members, \$400,000 a month to spend, and are complaining that they don't have enough staff or money! That's what's called, 'chutzpah!'

Mr. Chairman, if only those extra 20 paid staff positions were located with legitimate PVO's, many more parentally-abducted children would be back home where they belong this very day.

What many of the PVO's (still two years after the passage of the bill they supported) want to know is why they cannot get the modest financial support that Congress intended. As one embittered director of a legitimate local PVO said to me: 'has the NCMEC and the Office of Juvenile Justice become the "national center FOR exploiting missing children?"'

The time for a major shakeup of the Office of Juvenile Justice's MCAA program has come. What is needed is a thorough de-Reignization campaign, not just the welcome removal of his deputy, Jim Wooten, or the addition of a \$95,000 per year manager at the NCMEC.

Mr. Chairman, when the NCMEC went along with Mr. Ragnery's avowed goal of jailing runaway teenagers, it swallowed what I believe will be its poison pill. The unrelenting negative -- even hostile -- publicity that the NCMEC has so ineptly drawn to itself is a direct result of its foolish and counterproductive policy of hyping the figures, not only in each category of the truly missing, but for the number of teenage runaways as well.

In a little more than a year, investigative reporters around the nation have had open field running in discrediting the Justice Department's NCMEC.

The best-known example is the Denver Post series that began on May 12, 1985 and -- over the next six months -- delivered a tour de force against the NCMEC and the fly-by-night missing children's groups. During the next year, some of the leading spokesmen and income-earners from the missing kids hype and hysteria crowd attacked the Denver Post series for its purportedly shoddy and irresponsible coverage of the issue. Three months ago, the Denver Post won journalism's highest accolade, the Pulitzer Prize Gold Medal for Public Service Reporting. The announcement was greeted by the NCMEC and others on the missing kids' misery payroll with a telling silence.

The press onslaught since the Denver Post series has been formidable. Jumping into the fray have been news organizations such as USA Today and General News Service, the Boston Globe, Washington Post, Miami Herald, Orlando Sentinel, New York Times, Newsweek, the Sacramento Bee, CBS and NBC news divisions and an excellent investigative series on CNN. Unfortunately, these fair, factual stories are but a drop in the bucket compared to the avalanche of news, entertainment and product-related promotions that have covered the country with missing children's pictures and hyped statistics.

Sadly, the bottom line on all this pro and con news coverage and legislative action is that very few truly missing children have been located that would not have been found or voluntarily returned if the missing children's industry had stuck with the facts. There is, in my view, more than enough misery among children and crimes against them to go around. Why wake up more?

A recent survey in Family Circle magazine found that 60 per cent of women with children feared their children would be abducted by a stranger. One mother quoted in the article said:

"These days everywhere we look -- on milk cartons, on grocery bags, on street posters -- we're confronted with pictures of missing children. How can a mother not keep imagining that one day it might be her child's face on one of those posters?"

In a sense, even though the so-called facts on which the missing children's hysteria rests are demonstrably false, the hypesters have won. They need not get caught in a bold-faced lie. Mr. Howell told the Orlando Sentinel last August: "There are 1.8 million missing children; you better believe it!" Even though no responsible, thoughtful journalist, social worker or law enforcement official any longer believes these willful misrepresentations, their opinions are irrelevant. American parents have swallowed this modern-day fish story hook, line and sinker." It was 1984's most Orwellian success story.

Mr. Chairman, the noble purposes of the Missing Children's Act (1982) and the Missing Children's Assistance Act (1984) have been used for partisan political purposes and by many irresponsible organizations and individuals. The issue has been used to solicit political support, donations to groups that do not actually seek missing children and stimulate manufacturers of games and products that are of little or no value in protecting children from abduction or speeding their return.

I have come to really admire the disparate band of people who lead the legitimate private voluntary organizations. I wish I could list here some of them by name, but given the politically-charged and venal manner in which the Justice Department's NCMEC bestows grants and favors, my desire would damn them in the eyes of the people with the money. And they really need money. The NCMEC has been systematically trying to starve these groups out of existence. Yet

these are the groups that pre-date the widespread interest in missing children and fought for the passage of both missing children's acts.

Mr. Chairman, these fine groups have been betrayed -- yes, betrayed -- by the Washington leadership responsible for policy development and grant awarding on behalf of missing children.

Greed, a thirst for power and publicity, and a driving desire to "corner the market" or monopolize the missing children's business has characterized the behavior of the NCMEC leadership including its board of directors who have been happy to go along for the ride.

Is this what Congress intended -- a staff of 52, spending of \$400,000 per month, endless press releases, flat-out bribes to state governments to set up unneeded and redundant missing children's clearing houses, taxpayer-supported attacks on First Amendment rights, phony statistics, support for the jailing of children and selling fear along with toys and pineapples?

Let's get back to the business of finding and returning truly missing children. It is the position of the American Youth Work Center that it can best be done by radically shifting the manner in which the national effort and spending of funds is managed. I urge that the following steps be taken immediately:

(1) Dismantle the NCMEC. Within a few months, only its staff and board of directors will miss it.

(2) Shift its legitimate functions as follows:

(a) Set up a unit within the FBI to investigate all "abducted by unknown individuals" if the criteria established in the Missing Children's Assistance Act are met and then further refined through FBI regulations.

(b) Follow the successful example of HHS with its National Runaway Switchboard by putting out competitive bids. There are dozens of groups that could do this job at a fraction of the current cost. Among them: The Child Find of New Paltz, N.Y.; Contact Center of Lincoln, Neb.; the National Child Safety Council of Jackson, Mich.; the National Coalition on Child Abuse of Chicago, Ill. and the National Runaway Hotline of Austin, Tex., just to name a few.

The Chicago-based National Runaway Switchboard handles 250,000 calls from runaways and their parents each year with the help of a \$330,000 grant from HHS. Its telephone caseworkers are volunteers. Contrast that with the NCMEC that has handled 23,261 calls over a two-year period, or approximately 12,000 calls a year. For that, the taxpayers pony up \$3.3 million per year -- 10 times the amount HHS spends for fifteen times the phone calls! And NCMEC caseworkers are paid \$21,000 per year!

(3) Most of the necessary research and written work on this issue has now been done. Excellent manuals on investigative technique have

been produced by the NCMEC. In the future, this type of work can be done by the FBI Academy, the Office of Juvenile Justice Staff or through competitive contract. Again, there is no need to continue the NCMEC.

(4) Transfer the supervisory responsibility for the national incidence study to the Census Bureau. There is no doubt in my mind that if allowed to, the Justice Department and the NCJRC will jiggle the definitions of various categories of missing kids and get the "big number" they so ardently desire. Already the NCMEC is spending money to go back and look at past crimes against children to reclassify them as stranger abductions. Mr. Chairman, this recommendation is vital in order to credibly meet the requirements for a national incidence study mandated by Section 404 (3).

(5) Meet the public information, national resource center and clearinghouse function required in Section 404 (2) through competitive contracting. Again, groups such as Child Find, Contact Center and the National Child Safety Council can do the job better, cheaper and without the kind of nauseating self-promotion campaign which has become the number one priority of the NCMEC.

(6) Terminate the grant to the Ft. Lauderdale-based Adam Walsh Child Resource Center to promote fingerprinting. Let's face it. The cat's out of the bag. Fingerprinting neither prevents a stranger abduction nor aids in the return of a dead victim. Never has, never will. Terminate the shockingly-inflated sweetheart contract with the Denver-based Institute for Non-Profit Management. This contract, supposedly to train PVO's, will cost well over \$10,000 per legitimate PVO. Give the money to the PVO's and let them buy their own training locally.

(7) Take the two to three million dollars saved by adopting these recommendations, plus the money in the National Endowment, and give it to the local PVO's and those national groups who responsibly work to find the truly missing.

(8) Some say money is the source of all evil. Money, or really too much of it, has helped lead to the squalid condition of the effort to recover the truly missing. Mr. Chairman, I recommend that two million dollars be subtracted from the FY '87 appropriation for the NCAA and added to the FY '87 appropriation for the Runaway and Homeless Youth Act. How can the NCMEC object? After all, 95 per cent of all of their "missing children" are teenage runaways and 75 per cent of their intake cases are for the "voluntary missing." The surest way to get runaways home is not to jail them or put their pictures up in airports, but to increase the number of programs for runaway youth and to selectively increase the funding level of existing programs.

When the Missing Children's Assistance Act comes before this committee for reauthorization, I suggest the following.

(1) Clarify the differences between runaway teenagers and missing

children for the sake of both groups of children.

(2) Abolish the Attorney General's Advisory Board on Missing Children unless it can think of something better to do with its leadership mandate than urging the jailing of children.

(3) Transfer of the Missing Children's Assistance Act (except for criminal investigations of stranger and non-custodial parental abduction cases) to HHS's Administration on Children, Youth and Families.

(4) Mandate direct funding of legitimate PYO's.

Mr. Chairman, I ask that the attachments to my testimony be made a part of the official record. These press clippings and documents will substantiate my testimony in detail and also provide a permanent record of the truth about missing children. In this way, Mr. Chairman, I sincerely hope that journalists, public officials, and human service and criminal justice professionals will be deterred from further aiding the tragic folly that has befallen the national effort to locate the truly missing.

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[Mr. Treanor's statement appendix is being retained in subcommittee files.]

Mr. KILDER. Mr. Margolis.

Mr. MARGOLIS. I am delighted to be here, and I very much appreciate the opportunity to appear before you. As I sat down, I became a bit uncomfortable, and I want to make it clear that I am not here today to serve as a counterpoint to the previous speakers' insults or attacks on either the Department of Justice or the National Center, or some private citizens' groups.

My purpose in coming here is to take a few minutes so that I can describe for you what we are doing in the area of child safety in Illinois, and describe how our efforts are being interfaced with other States across the Nation, and to ask you for your support and to suggest to you in my judgment and the judgment of many of us in Illinois, many of the people in this field in and out of government that I speak to, what it is that you can do for us in this most important work.

In Illinois, we have got a multifaceted child safety effort, KIDS, Kids in Illinois Deserve Safety. It has an educational component, specially trained Illinois State Troopers that fan out throughout the schools of the State to provide responsible groups information relating to child safety.

We have a cutting edge type, legislative type reform program, which made the mere possession of child pornography a felony. Any vehicle used to transport child pornography, and we provided this year for the mandatory registration with the local chief of police of every twice-convicted pedophile.

CANTS, it is a computerized system that takes 165,000, to 170,000 calls a year, and we have a lot in Illinois that mandates schoolteachers, police officers, all those that come into contact with children are mandated by law to report any allegation of child abuse. It is hotlined by people with masters degrees in social work around the clock, trained social service professionals who call up from the computer data base all related information, be it categorized by victim, reporter, and that information is sent out to regional sites throughout the State.

If there is a life-threatening situation, law enforcement is 911. It is less than—at the very, very most, there is required to be a 24-hour visit, so the computer can be cleared.

We have I-Search, Illinois State Enforcement Agencies to Recover Children, aggressive law enforcement efforts to find missing children, and something about which we are very proud, a psychological support component.

We have three full-time Illinois State Police psychologists who work with us, and work with the families of the missing while our State troopers are searching, and also work with those children after they have been recovered, and with the family.

The missing children problem first should be avoided, but second, it is only beginning with the recovery.

We are most excited about something touched upon previously: The National Campaign to Protect Our Children, a pilot program begun some months ago, announced in March, and the campaign to protect our children involves now 42 States.

They were brought together by the National Center, with a view toward increasing the public-private sector partnership, bringing to those States some of the legislation that other States have enacted

and provide for those States that kind of focal point for child safety to take advantage of the successes like other States—Kentucky, for example, in the area of child education.

Mr. Chairman, the plain fact is that the National Center for Missing and Exploited Children served on a daily basis as the catalyst for programs like that, but as the cement which draws together the public, private sector, medical professionals, social service professionals that I work with in Illinois or elsewhere, because this work takes me around the country on a daily basis.

My State police psychologists work with the center. There is a constant interchange of information that benefits us greatly, but far more than Illinois, which has had the benefit in recent years of some of the model programs in the States. I see how the National Center is able to provide for other less fortunate States, standards, examples, information, and support that only a nationwide, cohesive, central expert group of concerned professionals can provide. So if there is one message that I can bring you from Illinois, other than that I think we are doing pretty good, is that we depend upon that performance to a great extent of the National Center, and anything you can do to increase their funding, despite the fact we are all in difficult budgetary times, and increase the kind of public and private support for their efforts you will help me as a law enforcement administrator in Illinois and other people in both the public and private sector.

They are a most valued resource in this multifaceted fight, be it on the enforcement end, law enforcement end, or the prevention end. It is a pleasure to work with them, and all you can do to assist them in their efforts in assisting us out in the field we greatly appreciate.

Mr. KILDEE. Thank you for your testimony, Mr. Margolis.

We got some contrasting views from this panel on the National Center, and I think that is healthy. I try to do that in any hearing I do have. With that in mind, and with the amount of money that we do appropriate for the National Center, could you respond as to how we should prioritize the authorized activities of the National Center?

I will hear from both of you.

Mr. TREATOR. Most of the functions of the National Center are redundant. They have already been performed successfully by child abuse groups, runaway shelters, the national hotline, several of them. They are redundant.

If I was to decide how to spend the money completely on my own, I would first of all try to get the FBI to set up a special unit to deal with the stranger abduction cases, and make the required changes in law, so once a case meets certain criteria, it could be certified quickly and investigated by qualified law enforcement people.

Part of the problem here with the National Center, it is neither fish nor fowl, and it has led to a lot of confusion, as they themselves say they are not locating missing kids. I would support the PVO's with appropriate size grants without the kind of overhead for intermediaries that is currently underway, and I would also fund some of the PVO's that do after-care work.

There is a group in Rochester that has done a very good job, there are a lot of groups like that out there. Third, I think I would maybe, through interdepartmental agreement, give a little bit more money to the National Runaway Switchboard so they can handle an increase in calls, et cetera.

I would fund some public education things, to do non-hystetical education on child safety and child protection groups.

The Child Safety Council in Jackson is a good example; Michigan, no end to the qualified groups out there.

This National Center is socialism in drag. They get all their money sole source, and they cut everybody else out. Why not go out with a competitive open process, these little groups around the country that are really finding these kids can swallow these grants and continue to do an effective job.

The rest I would give to the Runaway Youth Act Program, Mr. Chairman.

Mr. KILDER. You suggested some changes in the stranger abduction laws. Are you referring to the Lindbergh Law passed in the 1930's? There is an assumption, after a certain period of time, the child has been carried over State lines.

Mr. TREANOR. There is a number of criteria that are outdated in, shall we say, the jet age; and they need to be brought a little bit more up to date.

Mr. KILDER. The so-called Lindbergh Act was passed because of that tragic kidnapping back in the 1930's and the transportation and travel was much slower at that time, and probably in the time that we have been sitting here, a person could travel from one coast to another, and very often, our laws may not be quite up with some of the changes in modern society, and that would be something that the Judiciary Committee would want to look at.

It is within their jurisdiction, but I will pass that idea along to Peter Rodino on that.

Mr. Margolis, you may respond to the same question.

Mr. MARGOLIS. Prior to becoming a State law enforcement administrator, I served with the Department of Justice as an assistant U.S. attorney in Chicago for 11 years, and I worked a great number of kidnappings, some resulted in a great number of victims being found, and some being savagely murdered, and I can tell you from my direct knowledge of similar cases all across the country, that the Lindbergh law, which provided for initially a 24-hour presumption that would jurisdictionally give the FBI enough to enter the case is largely ignored.

In the real world today, a call for a kidnaper, the Bureau would not be formally involved, but their agents are there, and they are a full party with local law enforcement.

I recall one more instance where I drive from point to point in my State car, and I heard a broadcast over a State-wide emergency network, whichever law enforcement car Illinois has. When I heard it, I used my car phone to call our State police commander to tell them to get airplanes up there, agents up there and get whatever resources up there to resolve it quickly.

I called the FBI command post in Chicago and within 5 minutes, the world began to move, and within 10 minutes, the call went out to disregard, the mother went out the wrong door, but after so

many horror stories, that kind of immediate response, oftentimes it can be too much of a knee-jerk response, but as long as nobody is hurt with the car speeding to the scene, rather be safe than sorry.

The stranger abduction thing, I guess I agree with some of the previous proponents here today on the question of parental abduction and agree. It is our experience in Illinois and dealing with other prosecutors across the country, parental abduction is largely understood, those cases we involve ourselves in on the law enforcement end, we treat with the same kind of pursuit, the kinds of cases we involve ourselves in as police officers in Illinois, in a very high, more than half of the time, I believe, involve some serious physical or sexual abuse against the child, and those parents that will do that, redo their lifestyle, move halfway across the country, call the spouse with custody, say, you will never see your child alone again, and whatever, that person is doing what they are doing not because they are concerned about the well-being of the child, they are doing it because they have got their own criminal type problems, and doing it to act out some sort of vengeance against the spouse that has custody.

In many of these instances, the child victim doesn't know it is a parent that steals them. I was in a case recently where a little gal, now 14 years old, kidnaped 9 years previously by her father, thought by a stranger, eventually realized it was her father, had no recollection of her prior life whatsoever, been told her mother was dead, and eventually had her own series of problems, the least of which was neglect.

The next priority that I would ask you to support, facilitate State programs across the country.

They really are the leader and the cohesive element which enables a less enlightened State—and there are many, to copy the kinds of programs, education, for example, that Kentucky has, or a missing child program like I-Search, now a 6-State, regional program.

We hope to broaden it even further, so I would ask for your support in assisting the Center to continue to support and promulgate meaningful State programs, law enforcement programs, social service programs across this Nation, and I would also ask you to support their efforts to support independently the child safety education, whether it is done by PVO's, or State law enforcement, as long as it is done in a professional, psychologically appropriate manner and method, so children are given the kind of information and education they need to stay alive.

That is what they have been doing for us in other States. Because the dollars are so limited and not because I deprecate the importance of the contribution they have to make, but then I would like to see some support for private voluntary organizations, but the problem with that is, and Mr. Treanor pointed this out, many of these organizations run wild and there will always be a great deal of conflict, and a great deal of hostility and a fair measure of acrimony, and when some people are cut out for a very good reason, so you must bear in mind that with that support of certain qualified component, carrying PVO's, you will have some who think they have been unfairly treated and we have to deal with

that and accept those criticisms, realizing that the greater good is child safety.

Mr. KILDEE. In a previous hearing, we discovered that very often, and this is a particular case, but the child can be reported as missing, and very often the police will feel the child perhaps has run away, and it never gets into any network or to even the adjoining police jurisdiction.

We witnessed this in one State where a child was reported missing, the police were not sure whether it was a runaway or not, and the body was discovered in another jurisdiction before that jurisdiction had even been informed that that person was missing. How do you deal with that in your State?

Mr. MARGOLIS. They are entered right away. We provide as immediate a response as we can. The I-Search which began—that has moved into the interstate enforcement agencies to recover children and hopefully is expanded further, we hope to make other less enlightened States or States that have a budgetary problem that we don't have, because of our allocation of resources, we hope to make them understand how much can be accomplished with relatively few dollars, and we have had a very successful track record over the last few years, and we are optimistic that with the Center's leadership and our track record, other States will see that we don't have a situation where policemen are running willy-nilly that are staying too long at the video arcade parlor.

They are taking an immediate response to life-threatening situations. Some of these kids are purely at risk from the pedophile, who may not take them by force, but an abduction by guile.

A pedophile will stalk the kid, the same way men will stalk women, not in Washington, of course, but in other cities. We arrested one last year at this time at a State fair, an 11-year-old kid came from a tough home life, and went from State fair to State fair until we found him and returned him to a suitable relative and arrested the pedophile, with his many prior convictions, this poor kid had been taken from fair to fair, passed around by the fair hands working these carny games.

You never know in the beginning whether the kid ran off with his cousin, sneaking away for a few days, whether he has been savaged and left in a ravine, or in the custody of a pedophile, and we attempt to make these other States aware of really how little it takes to dig and try and find out.

The message I give them, sir, can be summed up this way: We held a birthday party, a homecoming in the Lincoln Park Children's Zoo in Chicago for a number of the children that the psychologists said would benefit from a public event.

We welcomed home 11. We had balloons, ice cream, candy, and as I walked into the zoo, I saw a little gal that I recognized, and I thought for a second; and I asked the trooper I was with who she was. He said that is Ora Horton, a little gal who was with her friend, Missie Ackerman 1½ years ago, when Brian Dugan came upon them, liked them, grabbed Ora Horton, went out to get Missie Ackerman.

As he struggled with Missie, Ora got out of the door, and he reached for her, got a little bit of cloth in his hand, and a half a second difference, and she got away.

Missie was assaulted, strangled, and found a few days later. I looked at Ora Horton in the zoo and saw this stark juxtaposition, between all that is wonderful and all that is stark, and I realized what a half a second difference makes.

That made me realize that once and for all, any little thing we can do is a help. When I speak to some of the private citizens who have been grieved by this, and I haven't been, I got into this the easy way.

I tell them, don't give up hope, put that extra half a second in, because collectively if all those in the private volunteer organizations, law enforcement, and in the legislatures work together, if everybody takes a half a second, a lot of kids' lives would be saved.

Mr. TREANOR. Mr. Chairman, I would just say we are caught on the horns of a dilemma. We have a large number of teenagers who run away from home, we want to get them home as safely and quickly as possible.

We have a smaller number of kids who, even if they ran away from home on their own, had been kidnaped in one way or another. It has been my belief for 20 years that the best way to get the largest number of kids home is to have nonsecure shelters to which young people can refer themselves, call-in, 24-hour shelters, and because of your leadership and others, there is now 300 across the country; and they are bringing 50,000-plus home every year.

The National Center claims 1.8 million missing kids, and they have 3 kids, 3 runaways kids who have been found dead, 3 too many.

However, if the emphasis goes away from the intent of the Run-away Youth Act back to this law enforcement, bring-in-the-cops-first-thing approach, it is not clear that that is going to get more kids home safely.

Having been a runaway myself, I would say that if my picture was appearing on billboards, airports, so forth, my inclination would be to run farther, hide deeper, and teenagers can change their physical appearance in a number of ways, and do, whereas the entire effort of the youth services system is to try to get those kids to stay as close to home for as long as possible and go as quickly as possible into the social welfare system of some sort, a shelter, child protection worker, whatever, or a police officer.

But then to be referred into the social welfare system, by law in Illinois these kids are not referred to the juvenile court, but the social welfare system, so we just differ on an emphasis here.

I believe my approach that I am advocating would get a lot more kids home a lot faster than bringing in the cops. However, the most egregious cases will be on the other side of the equation.

There are many 15-year-old kids who we think are runaways who turn up dead, whatever. It is a dilemma that I don't think anybody is going to ever resolve.

Mr. KILDEE. When a parent discovers a child is missing, we don't know at that point whether that person is a status offender or the victim of a crime. Because status offenders in certain jurisdictions are treated in a way they should not be treated, and I have been fighting that for a number of years here, there may be reluctance on the part of the parent or even the local police official, especially

in a small town, to put that name out on an APB. What is the answer?

You don't know at that point whether it is a status offender or a victim of a crime. Say the police department in Carbondale gets the report of a missing child, what time lag, or what would the procedure be before that could be broadcast to other jurisdictions within the State of Illinois?

Mr. MARSHALL. It will depend on two factors. One, the size of the community; and two, the circumstances of the disappearance. I was awakened by a police officer from one of our Isearch units, whose husband, he had gotten a call from a husband who was panicked, husband was out of town, indicating the man's wife was missing, and somehow, the police came up as being someone who knew this family, and I was the police officer from our work, and he was treating this as a stranger abduction, and knowing what I knew about a person's situation, I was able to tell him, no, I got a feeling she is OK, let me make a few calls, and I was able to solve this missing person problem in a few minutes, and yet that community police department was responding as quickly as they possibly could.

In a city like Chicago or a smaller city like Carbondale, the response may be less unless there are some circumstances to indicate that there was some reason to believe this person is at risk, and that is simply a function of resources and what else those police on shift that night are dealing with.

In Chicago, we had nights last week where four people were killed in gang-related violence, and the nature of the resources are such it is going to take a great threshold. A mother comes out of a shopping center, and she left the child in the pickup truck, until we determine whether she just has a cavalier attitude or this child has truly been kidnaped, along with the car being stolen, we are going to respond accordingly.

It depends upon the external circumstances, and that is a function of the available law enforcement resources at that place.

Mr. TARRANT. I worked with this subcommittee and the Senate subcommittee, 3 years, 2 years now, when we were drafting the Missing Children's Assistance Act, they hammered out a definition of a missing child, and it is not terrific, and the reason there is a definition other than just saying somewhat under 18 full stop, it says, someone 18 years of age, whose whereabouts are unknown, if such individual's legal custodian—and it talks about circumstances, and whatever, the reason for that is an attempt to try to separate out as imperfectly as it might be these two groups, because if the Isearch system is loaded up, say 1½ million runaways, that would be 250,000-plus cases a year in Illinois.

You can't send 50 agents running off after 50,000 cases a year, and if there were 50,000 stranger abductions and 3 a day going on in Illinois or more, you couldn't make a response.

The attempt is to try to separate out those two groups. Congress went on to talk about 13-year-olds and younger and the hotline. This has been completely ignored by the National Center.

Congress did not see fit to repeal a section of the Runaway Youth Act. It is the National Center that sees fit to only deal with runaways inside of the law enforcement system.

I have been called by volunteers to the National Center about runaways, they tell me it is a back-burner thing. I say, "Do you refer to the switchboard?" They say, "Oh, no, to Isearch," just to the law enforcement system, and I believe the reason for that is, one, Mr. Regnery wants to lock up runaways; and two, they had to incorporate all these runaway kids, without giving any real thought to the impact that this foolhardy policy would have.

If we could go back to square one, 2, or 3 years ago, we could do it a lot differently and keep those groups as separately as possible.

Mr. Chairman, when you have Parade Magazine running a story in April of last year, 1½ million runaway kids; and in August of last year, and says there are 1½ million missing kids, the same kids, you know there is an awful lot of confusion going on.

Mr. MARGOLIS. Mr. Chairman, if I could add one point about the involvement of Isearch and runaways. Obviously in every State there should be a centralized professional, well funded, well supported capable and effective clearing house. In Illinois it is Isearch. Hopefully, 5 years from now most States will have a similar clearinghouse. In Isearch, on a regular basis, with full involvement and support of and consultation with the center, on a regular basis refers cases like that out to private organizations. Police don't necessarily respond to each and every one.

You need some central place where this information goes, you need one toll-free day-in day-out hotline number that is going to be staffed by some knowledgeable, trained professional person, and in this case a trained law enforcement person that can take information, maybe some kid in the bus stop, they don't know where to call Mr. Treanor, but they know where to call the police. Even if it is something we shouldn't respond to, we know people out there who will go and provide service, and Isearch makes it available to them.

Mr. TREANOR. I don't think the verdict is in on these State clearinghouses. I would urge you, before reporting out the Senate-passed State clearinghouse bill, that you hold a full hearing, which it never got in the Senate, to really look at the clearinghouse issue, particularly the issue of definitions and how it would relate nationally to the Justice Department, the FBI, National Center, et cetera. That is a thorny issue which I think deserves its own authorization hearing.

Mr. KILDEE. On September 12, the subcommittee has scheduled a hearing on legislation to authorize the establishment, in support of State missing children, of clearinghouses, so we will have, subject to the vicissitudes again of the congressional schedule and process, a hearing on September 12. We will have a limited witness list, again because of the fact that Congress' session is getting very complicated, but we will have a hearing on that bill.

I think Senator Paula Hawkins introduced—

Mr. TREANOR. Senator Mitch McConnell also.

Mr. KILDEE. And Congressman Lewis from Florida has a similar bill here in the House. We will have a hearing on that date to see what the views of various people are on that.

I want to really thank this panel. You provided some complementary and some differing views on this very important issue. Again, I reiterate what I said at the beginning. We are all here because you really want to help children. We need to have our intel-

lects enlightened on that. We need to have our wills strengthened. And I think this hearing has helped me--enlightened my intellect and strengthened my will on this, and I appreciate the assistance of this last panel and all the witnesses today.

We will keep the record open for, 14 days, for any further submission of testimony, and we may want to submit to all the witnesses today some additional questions in writing.

Mr. KILDEE. I want to thank all of you, and with that, the subcommittee will stand adjourned.

[Whereupon, at 2:20 p.m., the subcommittee was adjourned subject to the call of the Chair.]

[Additional material for inclusion in the record follows:]

APPENDIX

MAJORITY MEMBERS
DALE E. KILDES, RICHMOND, CHAIRMAN
TERRY L. BOO, D. KILBURN
CARL C. FLETCHER, WASHINGTON
SPENCER L. SCHULTZ, OHIO
MURRAY N. CHURCH, NEW YORK
JANUARY 17, 1986, CALIFORNIA, IN OFFICE

JOHN F. HENRY, JR.
RICHARD A. WILSON, STAFF DIRECTOR



*Harry File
Submission*

MINORITY MEMBERS
THOMAS A. TANK, OHIO
E. THOMAS COLBERT, WASHINGTON
THOMAS E. PETT, WASHINGTON
JAMES A. JOHNSON, WASHINGTON, IN OFFICE

COMMITTEE ON EDUCATION AND LABOR
U.S. HOUSE OF REPRESENTATIVES
405 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
SUBCOMMITTEE ON HUMAN RESOURCES

August 15, 1986

Mr. Verns L. Speirs
Acting Administrator
Office of Juvenile Justice and
Delinquency Prevention
Department of Justice
Washington, D.C. 20531

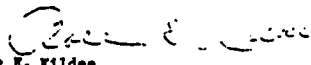
Dear Mr. Speirs:

I want to thank you and Ms. Easton for your testimony at the Subcommittee's August 4, 1986 oversight hearing on the Missing Children's Assistance Act. For the purpose of completing the hearing record, I would appreciate your expeditious response to the following questions.

- Section 404 of the Missing Children's Assistance Act requires the Administrator to "provide adequate staff and agency resources" to administer the Act. How many full-time OJJDP staff are assigned to the Missing Children Program? Given the fact that many mandated tasks such as program priorities and the incidence study have not been performed on a timely basis, is this number of staff adequate to properly carry out the Act?
- During the hearing, Ms. Easton indicated that, with regard to the national incidence study, the Office is about to fund a second pilot study and will soon fund a third. By what date does the Office plan to have the program announcement developed for the actual study?
- In your testimony at the hearing, you mentioned that all but approximately \$1 million of appropriated missing children funds either have been or will be obligated in the near future. Please provide a list of all grant awards and interagency transfers made since October 1, 1985. In addition, please provide the date, amount, and purpose of each transaction.

Thank you again for your testimony at the hearing. Both this letter and your response will be included in the printed hearing record. Your cooperation in this matter is greatly appreciated.

Sincerely,


Dale E. Kildes
Chairman

jm

(183)



U.S. Department of Justice

Office of Juvenile Justice and
Delinquency Prevention

Washington, D.C. 20531

AUG 29 1986

The Honorable Dale E. Kildee
Chairman
Committee on Education and Labor
U.S. House of Representatives
602 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Kildee:

Thank you for your letter of August 15, 1986. I appreciated the opportunity to tell about the progress of the Missing Children's Program and to hear your views on it at the recent oversight hearing.

Listed below is the information you requested in your letter:

- Q. Section 404 of the Missing Children's Assistance Act requires the administrator to "provide adequate staff and agency resources" to administer the Act. How many full-time OJJDP staff are assigned to the Missing Children's Program? Given the fact that many mandated tasks such as program priorities and the incidence study have not been performed on a timely basis, is the number of staff adequate to properly carry out the Act?
- A. The full-time missing children's program coordinator is on my staff. That coordinator is Michelle Easton who testified at your August oversight hearing with me. The rest of the OJJDP staff is available and has been used as necessary to work on the Missing Children's Program. There are separate project managers from the OJJDP staff for each of the Missing Children's Program projects, and we have the resources of the entire OJJDP staff to devote to any additional areas in the program as needed. We have a total of seven employees working either directly or in support of the Missing Children's Program.

In addition, the method we have selected for distributing contracts to the many private voluntary organizations who will be applying have made it necessary to hire additional staff. INPOM and its staff will process these applications more effectively and efficiently with the PVOs as subgrantees.

I believe that this staff arrangement is adequate to properly carry out the Missing Children's Program.

- Q. During the hearing, Ms. Easton indicated that, with regard to the national incidence study, the Office is about to fund a second pilot study and will soon fund a third. By what date does the Office plan to have the program announcement developed for the actual study?
- A. We hope to complete the pilot studies, seek expert advice in evaluating the pilot results, and develop our program announcement in early 1987. Under this schedule, we would plan to make the program announcement in Spring 1987.
- This is a tentative schedule, assuming among other things that there are no major delays.
- Q. In your testimony at the hearing, you mentioned that all but approximately \$1 million of appropriated missing children funds either have been or will be obligated in the near future. Please provide a list of all grant awards and interagency transfers made since October 1, 1985. In addition, please provide the date, amount, and purpose of each transaction.
- A. I have attached a chart and project descriptions, current as of Friday, August 22, 1986, listing all missing children's grant awards and interagency transfers made since October 1, 1985.

Please do not hesitate to contact me if I can provide any additional information of these or any other parts of our program.

Sincerely,


Verne L. Speirs
Acting Administrator

As of 8/22/86

MISSING CHILDREN'S PROGRAM

FY 85 ALLOCATION		TOTAL AVAILABLE	
\$ 4,000,000		\$ 7,530,572	
- 197,428	OBLIGATIONS	- 250,000	TRANSFER *
\$ 3,802,572	CARRYOVER	7,280,572	AVAILABLE
		- 5,122,791	FY 85 OBLIGATIONS
FY 86 ALLOCATION		2,157,781	UNOBLIGATED
\$ 4,000,000		- 1,208,000	ANTICIPATED AWARDS
- 172,000	GR. SEQUESTER	\$ 1,949,781	
\$ 3,828,000	AVAILABLE		

* Child Safety Partnership

Obligations - FY 1985

1. Supplement to support contract for activities related to the Missing Children's Advisory Board	\$ 740,148
2. IAA/Justice Management Division to provide access to data in the NCIC's missing persons file to the National Center for Missing and Exploited Children	27,282
3. IAA/Glynco - FY 1985 Priority #3	30,000
TOTAL	\$ 197,428

Obligations - FY 1986

1. Supplement to the National Center for Missing and Exploited Children	\$ 1,183,560
2. National Center for Missing and Exploited Children	1,875,000
3. National Center for Missing and Exploited Children (State Clearinghouses) Priority #5	550,000
4. Institute for Non-Profit Organization Management	383,208
5. Northwestern Univ. - pilot study National Incidence Study	116,305
6. Univ. of Illinois - pilot study National Incidence Study	99,787
7. Institute for Non-Profit Organization Management Priority #6	626,380
8. IAA/Justice Management Division to provide access to data in the NCIC's missing persons file to the National Center for Missing and Exploited Children	31,716
9. Miscellaneous (printing, GSA charges, etc.)	36,827
10. Supplement to support contract for activities to the Missing Children's Advisory Board	42,000
TOTAL	\$ 5,122,791

ANTICIPATED AWARDS

Law Enforcement Training Priority #1	825,000	Status Redbook
Institute for Non-Profit Organization Management	383,000	In Process
	\$ 1,208,000	

<u>PROGRAM PRIORITY</u>	<u>ESTIMATED DOLLAR AMOUNT</u>	<u>OBLIGATIONS</u>
<p>1. NATIONAL STUDY OF LAW ENFORCEMENT AGENCIES POLICIES AND PRACTICES REGARDING MISSING CHILDREN AND HOMELESS YOUTH</p> <p>The application deadline for this Federal Register solicitation was July 31, 1985. A review panel met in December to consider those eligible applications and should be recommending the most qualified applicants to me very soon. I expect to award the funds for this project in the very near future.</p>	\$ 850,000	4th Quarter
<p>2. THE CHILD VICTIM AS WITNESS RESEARCH AND DEVELOPMENT PROGRAM</p> <p>An RFP on the topic of Child Victim as Witness was published in the Federal Register.</p>	\$ 400,000	FY 1987
<p>3. RESEARCH ON THE PSYCHOLOGICAL CONSEQUENCES OF ABDUCTION AND SEXUAL EXPLOITATION</p> <p>The relationship between missing and abducted children and sexual exploitation and the psychological consequences of abduction and sexual exploitation.</p>		
<p>4. TRAINING/PUBLIC AWARENESS PROGRAM</p> <p>We are currently negotiating with a potential grantee to carry out a training/public awareness program on the issue of Missing Children. The major focus of this effort will be on runaway missing children.</p>	\$ 500,000	FY 1987
<p>5. ASSISTANCE TO STATE CLEARINGHOUSES FOR MISSING AND EXPLOITED CHILDREN</p> <p>The National Center for Missing and Exploited Children has established an operations division specifically to support the liaison and networking with state missing children centers. This division has already met with state clearinghouses and is in position to be a technical assistance provider for the program networking activities and to develop contracts with each state clearinghouse for services and training.</p> <p>An individual contract with each state clearinghouse will be developed.</p>	\$ 550,000	\$550,000

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A. ASSISTANCE TO PRIVATE VOLUNTARY ORGANIZATIONS

This program will be closely linked to the Technical Assistance to Private Voluntary Organizations funded by the Administrator under the authority of Sec. 489(d) of the Missing Children's Assistance Act. Organizations participating in the program will be invited to submit applications for loans to further enhance their capabilities. These will be small one time grants, probably \$25,000 or less, made to groups to encourage unique or especially effective programs.

For program efficiency and convenience, we are planning to distribute these funds to the private organizations directly through INPOM (Institute for Nonprofit Organization Management in Denver, Colorado). INPOM has selected in our competition to run the program of technical assistance in management for private voluntary organizations.

\$ 625,000

\$626,980

OTHER PROGRAMS

NATIONAL INCIDENCE STUDY

Pursuant to the mandate of the Missing Children's Assistance Act we are in the process of developing a National Incidence Study to determine the numbers of missing children.

We plan to design a study which is of the highest technical standards and of broadest utility to the field and Congress. We will be pleased to provide you with more specific information on the experts consulted in our planning process if you wish.

What the experience of other survey efforts on this subject has taught us in the importance of carefully considering the complexities of such a study. The definitional ambiguities of the phenomenon as well as the potential sensitivities of the topic for respondents mitigate against a quick and easy survey.

A. Pilot Studies (3) grants

\$ 300,000

\$216,072 (2) grants

B. National Incidence Study

\$ 1,000,000

FY 1987

TECHNICAL ASSISTANCE TO PRIVATE VOLUNTARY ORGANIZATIONS

This program was competed and awarded to the Institute for Nonprofit Organization Management (INPOM), a management organization specializing in nonprofit organizations.

This program will assist private organizations to better manage and network their missing children services and resources within states and with the national missing children clearinghouses.

This program will be developed over two years, and will include a series of 16 regional workshops for private organizations involved with missing and exploited children services. The training and technical assistance program will include organizational assessments, technical assistance, marketing and public relations, networking with criminal justice and other private organizations, and voluntary recruitment.

The purpose of the training and technical assistance is to help achieve a highly capable cooperative national private voluntary organization network to augment Federal and State Missing and Exploited children's service needs.

\$ 383,208

\$383,208

THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN

\$ 1,875,000

\$1,875,000

\$1,163,560 (Sup.)

CATEGORICAL AWARDS FOR OJJDP BY DIVISION - ACTIVE (STATUS 60) PAGE
NON-BLOCK AWARDS FILE 06/11/

OFFICE/DIVISION: OJJDP-SPECIAL EMPHASIS

GRANT NO.	AWARD AMOUNT	AWARD DATE	BEGIN DATE	END DATE
86MCCXK003	\$3,038,560	11/14/85	11/01/85	03/31/87

FUNDING HISTORY	PROJECT STATUS	POMS CODE	MBO ID
O 851114 86 MC 1163560	ACTIVE	CA	
S 860529 86 MC 1875000			

RESPONSIBLE OFFICE	PROJECT MONITOR	PROJECT DIRECTOR
OJJDP-SPECIAL EMPHASIS	HECK, ROBERT	JOHN S. RABUN, JR

GRANT RECIPIENT NAME AND ADDRESS	PROGRAM CLASSIFICATION
NATL CTR FOR MISSING/EXPLOITED CHILDREN 1835 K STREET, N.W., SUITE 700 WASHINGTON, D.C. 20006	SUBJECT: FAMILY SERVICE PRGMS-GEN ACTIVITY: DELIVER TA-GEN

GRANTEE (IF NOT SAME AS RECIPIENT):

TITLE: NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN (NCMEC)

PROJECT SUMMARY

THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN (NCMEC) WAS ESTABLISHED TO: (1) OPERATE A NATIONAL TOLL FREE (800-THE-LOST) TELEPHONE LINE BY WHICH INDIVIDUALS MAY REPORT INFORMATION REGARDING THE LOCATION OF MISSING CHILDREN OR REQUEST INFORMATION PERTAINING TO PROCEDURES NECESSARY TO REUNITE CHILDREN WITH THEIR CUSTODIAN; (2) ESTABLISH AND OPERATE A NATIONAL RESOURCE CENTER AND CLEARINGHOUSE WHICH CAN PROVIDE TECHNICAL ASSISTANCE TO LOCAL AND STATE GOVERNMENTS, PUBLIC AND PRIVATE NONPROFIT AGENCIES, AND INDIVIDUALS IN LOCATING AND RECOVERING MISSING CHILDREN; (3) COORDINATE PUBLIC AND PRIVATE PROGRAMS WHICH LOCATE, RECOVER, OR REUNITE MISSING CHILDREN WITH THEIR LEGAL CUSTODIAN; (4) DISSEMINATE NATIONALLY, INFORMATION ABOUT INNOVATIVE AND MODEL MISSING CHILDREN'S PROGRAMS, SERVICES AND LEGISLATION AND, (5) TO PROVIDE TECHNICAL ASSISTANCE TO LAW ENFORCEMENT AGENCIES, STATE LOCAL GOVERNMENTS, ELEMENTS OF THE CRIMINAL JUSTICE SYSTEM, PUBLIC AND PRIVATE NONPROFIT AGENCIES AND INDIVIDUALS IN THE PREVENTION, INVESTIGATION, PROSECUTION, AND TREATMENT OF MISSING AND EXPLOITED CHILD CASES.

CATEGORICAL AWARDS FOR OJJOP BY DIVISION - ACTIVE (STATUS 60) PAGE
NON-BLOCK AWARDS FILE 06/11/

OFFICE/DIVISIONS: OJJOP-SPECIAL EMPHASIS

GRANT NO.	AWARD AMOUNT	AWARD DATE	BEGIN DATE	END DATE
86MCCXK004	\$550,000	05/23/86	05/01/86	06/30/87

FUNDING HISTORY	PROJECT STATUS	POMS CODE	MBO ID
D 860523 86 MC 550000	ACTIVE	CP	

RESPONSIBLE OFFICE	PROJECT MONITOR	PROJECT DIRECTOR
OJJOP-SPECIAL EMPHASIS	HECK, ROBERT	JOHN PATTERSON

GRANT RECIPIENT NAME AND ADDRESS	PROGRAM CLASSIFICATION
NATL CTR FOR MISSING/EXPLOITED CHILDREN	SUBJECT: CHILD ABUSE PREV/TREATMENT
1835 K STREET, N.W., SUITE 700	ACTIVITY: DELIVER TA-GEN
WASHINGTON, D.C. 20006	

GRANTEE (IF NOT SAME AS RECIPIENT):

TITLE: STATE CLEARINGHOUSE TECHNICAL ASSISTANCE PROGRAM

PROJECT SUMMARY

THIS COOPERATIVE AGREEMENT IS DESIGNED TO PROVIDE THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN WITH THE FISCAL RESOURCES TO SUPPORT CAPACITY BUILDING ACTIVITIES TO BE RESPONSIBLE AND QUALIFYING WITH STATE (PUBLIC) MISSING CHILDREN AGENCIES. ALL MONIES IN THIS GRANT WILL BE UTILIZED BY STATE MISSING CHILDREN AGENCIES TO AUGMENT AND ADVANCE THE LEGISLATIVE DIRECTIVE OF TITLE IV OF THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1984 (P.L. 98-473, OCTOBER 12, 1984). THE CAPACITY BUILDING TECHNICAL ASSISTANCE CONTRACTS WILL BE DESIGNED TO ENCOURAGE AND FACILITATE THE EARLY, FORMATIVE ORGANIZATIONAL DEVELOPMENT OF THE STATE PUBLIC MISSING CHILDREN CLEARINGHOUSE, AND WILL ASSIST THEM TO MORE PRODUCTIVELY SERVICE AND COORDINATE THEIR MISSING CHILDREN OPERATIONS WITH KCMC, AND OTHER STATE AND PRIVATE NO-PROFIT MISSING CHILDREN SERVICE AGENCIES. THE CONTRACTS WILL INVOLVE SUPPORTING MISSING CHILDREN REPORT DATA AND AN ANALYST; COMPUTER COMPATIBILITY SOFTWARE, WCDEN HOOK-UP COSTS AND SPECIFIC ORGANIZATIONAL DEVELOPMENT TRAINING WORKSHOP COSTS SPECIFIC ORGANIZATIONAL DEVELOPMENT TRAINING WORKSHOP COSTS SCHEDULED BY KCMC AND THE OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION.

Law Enforcement Assistance Administration JHD No. CTS-86-R-007 REIMBURSABLE AGREEMENT FACE SHEET		
1. Agreement Number 86-MC-R-015	2. Period of Agreement October 1, 1985 through September 30, 1986	
3. Title Reimbursable Agreement for access to NCIC by the National Center for Missing and Exploited Children		
4. Amount \$31,716.00	5. Accounting Classification Code X-C-MC-70-00-00 <i>MC60048</i>	6. MBO Code CA
7. Type of Funds Missing Children	8. Type of Payment <input type="checkbox"/> Advance <input checked="" type="checkbox"/> Reimbursement	
9. Purpose Set forth mutual responsibilities of the parties of this agreement with respect to access, use and dissemination of FBI NCIC missing person records by the National Center for Missing and Exploited Children. Payment will be made by OJJDP.		
10. AGENCY REPRESENTATIVES		
Agency Name OJJDP		Agency Name Justice Management Division/DOJ
Address (Include ZIP Code) 633 Indiana Avenue, N.W. Washington, D.C. 20531 (Robert O. Heck)		Address (Include ZIP Code) 425 I Street, N.W.-CABldg., Rm 4100 Washington, D.C. 20530 (John J. Lane)
Phone Number (Include Area Code) (202) 724-3751		Phone Number (Include Area Code) (202) 633-1100
Agency Name		Agency Name
Address (Include ZIP Code)		Address (Include ZIP Code)
Phone Number (Include Area Code)		Phone Number (Include Area Code)
11. Requested By (Signature) <i>Robert O. Heck</i>	Title Administrator, OJJDP	Date
12. Program Approval (Signature) <i>Robert O. Heck</i>	Title Administrator, OJJDP	Date
13. REQUIRED CONCURRENCES		
OGC (Signature) <i>[Signature]</i>	Title General Counsel	Date 2-10-86
Budget Division, OC (Signature) <i>[Signature]</i>	Title Director, Budget Division	Date 9/10/86
Area Desk, FMGAB, OC (Signature) <i>[Signature]</i>	Title Director, FMGAB	Date 2/10/86

LEAA Form 1704/1 (11-78)

U.S. Department of Justice

Reimbursement Agreement Between Agencies

UJDP No. 86-MC-R-015		No. CITS-86-R-007
Name and Address of Requesting Agency Office of Juvenile Justice and Delinquency Prevention, 633 Indiana Avenue, NW, Wash., DC 20531		For Use by Accounting Office
Requests That The		
Name and Address of Performing Agency Justice Telecommunications Service, CTS/OI/OHD, US Dept. of Justice, Wash, DC 20530		
Provide the Following Services or Goods: (Brief explanation of work or services to be performed and basis for determining cost.)		
Access by the National Center for Missing and Exploited Children (NCMEC) to the National Law Enforcement Telecommunications System (NLETS) and the National Crime Information Center (NCIC) via the JUST system in accordance with the resource usage rates which are established for the time period during which the services are provided (the rates which are currently in effect are listed below).		
Estimated monthly charges are:		
I. Line & Service Termination @ \$165.00		\$ 165.00
II. JUST Terminal (with diskette unit)		398.00
III. 3200 messages (approximately) @ \$.65 each		2,080.00
Total Monthly Charge		\$2,643.00
Although it is anticipated that the usage of the above resources will be such that the total expenditure for Fiscal Year 1986 will be \$31,608, the actual billings will be in accordance with the actual services provided.		
Billing will be monthly.		
(Attach additional sheet for continuation of explanation, if necessary.)		
Financing: (Requesting Agency Will Indicate Appropriation or Fund to be Charged.)		
Appropriation Symbol and Title	Cost Center, Project, Allotment, or Workplan No. (As Applicable)	Estimated Amount
X-C-MC-70-00-00		\$31,716.00
Debtor Code		
Duration: This Agreement, including the General Conditions Stated on the Reverse of This Form, Shall Become Effective <u>October 1, 1985</u>		
And Shall Continue Through <u>September 30, 1986</u>		
Approved for Requesting Office Juvenile Justice and Delinquency Prevention (Organization) <i>Alfred S. Bonery</i> (Signature)		Approved for Performing Office Justice Management Division (Organization) <i>John J. Lane</i> (Signature)
Administrator (Title)		Deputy Assistant Attorney General (Title)
Accounting Data for Agency Performing Service		Office of Information Technology
Item	Appropriation Symbol and Title	Project, Allotment, or Workplan No. (As Applicable)
	6T-09-40-04-10-03	

FORM 004-316
DEC. 84

Reimbursement Agreement Between the Justice
Telecommunications Service, Justice Management Division
and the Office of Juvenile Justice and Delinquency Prevention

This reimbursement agreement is between the Justice Telecommunications Service, Justice Management Division (JMD) and the Office of Juvenile Justice and Delinquency Prevention (OJJDP).

1. The purpose of this agreement is to set forth the mutual responsibilities of the parties to this agreement with respect to access, use and dissemination of Federal Bureau of Investigation-National Crime Information Center (NCIC) missing person records by the National Center for Missing and Exploited Children (NCMEC), pursuant to a separate access agreement between OJJDP and NCMEC, which is incorporated by reference herein.
2. As the Department of Justice's NCIC Control Terminal Agency, JMD is responsible for providing NCMEC access to NCIC data as described in paragraph 1 above, via the Department's telecommunications system (JUST).
3. OJJDP agrees to reimburse JMD under this agreement for providing NCMEC the use of JUST. A copy of the rates which are currently in effect are attached and incorporated by reference herein.
4. OJJDP agrees to assume responsibility for NCMEC access, use and dissemination of NCIC data in accordance with 5 U.S.C. § 552a, 28 U.S.C. § 534, 28 CFR Parts 16 and 20, 49 Fed. Reg. 44,565 (November 7, 1984), the NCIC Operating Manual, the NCIC User Agreement, the NCIC Standards and any other applicable statutes, regulations and policies pertaining to NCIC data. OJJDP may meet its responsibilities to monitor use and dissemination of NCIC data by any reasonable method.
5. To assist OJJDP in carrying out its responsibilities with respect to NCIC access under paragraph 4 above, JMD will provide to OJJDP a hard copy of all NCMEC JUST messages, both incoming and outgoing. The hard copy will be prepared every Monday. It will be accompanied by a Certification Statement (sample attached) and will be delivered to OJJDP the morning after it is produced. Within a week after the messages are delivered to OJJDP, the Administrator, OJJDP, or his designee will review all of the messages to determine if the NCMEC usage is in accordance with the NCIC Access Agreement between OJJDP and NCMEC, sign the appropriate statement on the Certification Statement to certify that either the NCMEC usage was in accordance with this agreement or a violation has occurred, and return it to James Dower, Assistant Director, Justice Telecommunications Service. If a violation has occurred, OJJDP will notify Assistant Director Dower immediately.

6. Failure on the part of NCMEC to comply with applicable statutes, regulations and policies as set forth in paragraph 4 above will constitute justification for termination of access to NCIC via JUST.

7. This agreement may be amended, as necessary, by the mutual consent of the signatories hereto or their successor organizations.

8. This agreement becomes effective when approved and executed by the signatories hereto.

Alfred G. Regnier
 Alfred G. Regnier
 Administrator
 Office of Juvenile Justice and
 Delinquency Prevention
 United States Department of Justice

12.18.84
 Date

George S. Vaveris
 George S. Vaveris
 Acting Deputy Assistant Attorney General
 Office of Information Technology
 Justice Management Division
 United States Department of Justice

12.21.84
 Date

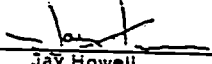
Agreement Pertaining to Access by the National Center for
Missing and Exploited Children to Certain National
Crime Information Center Records via the JUST System

This agreement between the Office of Juvenile Justice and Delinquency Prevention (OJJDP), for the United States Department of Justice and the National Center for Missing and Exploited Children (NCMEC), sets forth the terms and conditions under which NCMEC will be provided access to missing person records of the Federal Bureau of Investigation-National Crime Information Center (NCIC) via the Department's telecommunications system (JUST).

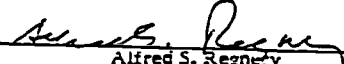
1. The purpose of granting NCMEC access to the NCIC missing person records is to facilitate its role as a national clearinghouse for information concerning missing and exploited children.
2. NCMEC will be provided access to the following types of NCIC records:
 - a. missing juveniles,
 - b. missing adults who were originally entered as juveniles,
 - c. unidentified living persons (e.g., amnesiacs), and
 - d. unidentified dead.
3. NCMEC will be provided access to NCIC records pursuant to 28 U.S.C. § 534 and shall abide by its limitations. In accordance with the requirements of this statute, NCMEC shall disclose NCIC data obtained under this agreement only to government agencies. The single exception to this limitation will be the confirmation of the entry of the name of a child into the NCIC Missing Person File by NCMEC, as authorized by the Missing Children Act of 1984, codified at 28 U.S.C. § 534.
4. NCMEC will comply with all applicable provisions of the Privacy Act as codified at 5 U.S.C. § 552a and implementing regulations at 28 CFR Part 16, and 49 Fed. Reg. 44,565 (November 7, 1984). Based upon NCMEC's contractual relationship with the Department of Justice, NCMEC is held accountable to the requirements of the Privacy Act and the implementing regulations cited above.
5. NCMEC will take all reasonable and necessary measures to maintain the accuracy of the NCIC data it disseminates, as required by applicable law, regulations and policies.
6. NCMEC will have access to NCIC via JUST, operated by the Justice Telecommunications Service, Office of Information

Technology, Justice Management Division (JMD), United States Department of Justice. In addition to the statutory and regulatory provisions previously cited, NCMEC will comply with 28 CFR Part 20, the NCIC Operating Manual, the NCIC Standards dated April 1, 1984, and the NCIC User Agreement, which documents are incorporated by reference herein.

7. NCIC and JMD retain the right to terminate access to these records at any time and for any reason they consider appropriate.
8. Reimbursement for NCIC services provided via JUST will be provided by a separate, reimbursement agreement between JMD and OJJDP, which is incorporated by reference herein.
9. NCMEC agrees to accept NCIC access, the cost of which will be reimbursed to JMD by OJJDP, in lieu of the award of additional assistance funds under Section 404 (b) (2) of title IV of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended.
10. This agreement may be amended, as necessary, by the mutual consent of the signatories hereto or their successor organizations.
11. This agreement becomes effective when approved and signed by the signatories hereto.


 Jay Howell
 Executive Director
 National Center for Missing and Exploited
 Children

12/10/84
 Date


 Alfred S. Regnery
 Administrator
 Office of Juvenile Justice and Delinquency
 Prevention

12-18-84
 Date

CERTIFICATION STATEMENT

Attached is a copy of all NCMEC JUST messages, both incoming and outgoing, for the period

from Time Month Day Year to Time Month Day Year

Please review these messages, sign one of the statements below, and, within one week of receipt of these messages, return this CERTIFICATION STATEMENT to James K. Dower, Assistant Director, Justice Telecommunication Service, Office of Information Technology, Justice Management Division, 4110 CAB. If a violation has occurred, contact Mr. Dower immediately; he can be reached on 633-3493.

I, _____, on the behalf of the Office of Juvenile Justice and Delinquency Prevention, certify that all NCMEC usage of NCIC via JUST during the period specified above was in accordance with the NCIC ACCESS AGREEMENT.

Date

I, _____, on behalf of the Office of the Juvenile Justice and Delinquency Prevention, am unable to certify that all NCMEC usage of NCIC via JUST during the period specified above was in accordance with the NCIC ACCESS AGREEMENT because a violation has occurred.

Date

CATEGORICAL AWARDS FOR OJJDP BY DIVISION - ACTIVE (STATUS 60) PAGE 2
 NON-BLOCK AWARDS FILE 06/11/87

OFFICE/DIVISION: OJJDP-NIJJDP

GRANT NO.	AWARD AMOUNT	AWARD DATE	BEGIN DATE	END DATE
84MCCXK00Y	9383,208	12/20/85	09/09/85	9-30-87
FUNDING HISTORY	7,010,188			
C 851220	86 MC 383208		PROJECT STATUS	PONS CODE MBO ID
			ACTIVE	NA

RESPONSIBLE OFFICE	PROJECT MONITOR	PROJECT DIRECTOR
OJJDP-NIJJDP	LEWIS, J. ROBERT	STEPHEN BLICK


GRANT RECIPIENT NAME AND ADDRESS	PROGRAM CLASSIFICATION
INSTITUTE FOR NONPROFIT ORGANIZATION MGT	SUBJECT: GRADING SESSIONS/CONFS
389 DENVER CLUB BUILDING	ACTIVITY: ADMINISTER TRNG AND EDUC
518 SEVENTEENTH STREET	
DENVER, CO 80202	

GRANTEE (IF NOT SAME AS RECIPIENT):

TITLE: TRAINING FOR PRIVATE VOLUNTARY ORGANIZATIONS

PROJECT SUMMARY
 TO PROVIDE TRAINING IN ORGANIZATION AND ADMINISTRATIVE MANAGEMENT TO PRIVATE VOLUNTARY ORGANIZATIONS INVOLVED WITH MISSING AND EXPLOITED CHILDREN AT EIGHT SITES EACH YEAR, TO PROVIDE CONTINUAL TECHNICAL ASSISTANCE, TO HOLD A NATIONAL CONFERENCE OF MISSING CHILDREN'S AGENCIES, TO IDENTIFY AND SELECT FIVE EXEMPLARY PROGRAMS AS HOST SITES FOR TRAINING AND TECHNICAL ASSISTANCE AND TO DEVELOP GUIDELINES FOR SUCCESSFUL MISSING CHILDREN AGENCY OPERATION. A CONTRACTUAL AGREEMENT WITH THE ADAM WALSH CHILD RESOURCE CENTER, INC. WILL ENCOMPASS APPROXIMATELY TWENTY-FIVE PERCENT OF THE TRAINING.

JUL 10 1986

		U.S. DEPARTMENT OF JUSTICE <input type="checkbox"/> OJP <input type="checkbox"/> SJA <input checked="" type="checkbox"/> OJJDP <input type="checkbox"/> SJS <input type="checkbox"/> MJ CHECK APPROPRIATE BOX		GRANT MANAGER'S MEMORANDUM, PT. I PROJECT SUMMARY <input type="checkbox"/> GRANT <input checked="" type="checkbox"/> COOPERATIVE AGREEMENT PROJECT NUMBER 86-MC-CX-K007	
<input type="checkbox"/> This project is supported under Title I of the Omnibus Crime Control and Safe Streets Act, 42 USC 3701, as amended. <input checked="" type="checkbox"/> This project is supported under the Juvenile Justice and Delinquency Prevention Act of 1974, as amended. <input type="checkbox"/> Other:					
1. STAFF CONTACT (Name, address & telephone number) J. Robert Lewis TDTAD/NLJJD 633 Indiana Avenue, N.W. Washington, DC 20531 (202) 724-7573			2. PROJECT DIRECTOR (Name, address & telephone number) Stephen Block Institute for Nonprofit Organization Mgmt. 388 Denver Club Building 518 17th Street Denver, CO 80202 (303) 825-0800		
3a. TITLE OF PROGRAM Capacity Building			3b. ADO CODE N/A		
4. TITLE OF PROJECT A National Grant Awarding Project to Expand the Capacity of Private Voluntary Organizations Involved with Missing and Exploited Children					
5. NAME & ADDRESS OF GRANTEE Institute for Nonprofit Organization Mgmt. 388 Denver Club Building 518 17th Street Denver, CO 80202			6. NAME & ADDRESS OF SUBGRANTEE N/A		
7. PROGRAM PERIOD 9/9/85 - 9/30/87			8. BUDGET PERIOD 9/9/85 - 9/30/87		
9. AMOUNT OF AWARD \$626,980			10. DATE OF AWARD July 11, 1986		
11. SECOND YEAR'S BUDGET PERIOD 9/9/86 - 9/30/87			12. SECOND YEAR'S BUDGET AMOUNT \$400,000		
13. THIRD YEAR'S BUDGET PERIOD			14. THIRD YEAR'S BUDGET AMOUNT		
15. SUMMARY DESCRIPTION OF PROJECT (See instructions on reverse) To provide grants for training support, program services and developmental opportunities to private voluntary organizations involved with missing and exploited children. This competitive grant program will enable recognized PVOs to apply the management principles learned at training seminars, assist PVOs in obtaining matching funds from corporations, and increase the capabilities and networking potentialities of agencies serving missing children.					

OJP FORM 4000/1 10-85

CATEGORICAL AWARDS FOR OJJDP BY DIVISION - ACTIVE (STATUS 60) PAGE
NON-BLOCK AWARDS FILE 06/11/

OFFICE/DIVISION: OJJDP-NIJJDP

GRANT NO.	AWARD AMOUNT	AWARD DATE	BEGIN DATE	END DATE
86MCCX0001	93,468	02/11/86	01/13/84	07/31/86
Supp - 1:22,837				
FUNDING HISTORY	116,305	PROJECT STATUS	FOMS CODE	MBO ID
0 860211	86 MC 93468	ACTIVE	CA	

RESPONSIBLE OFFICE	PROJECT MONITOR	PROJECT DIRECTOR
OJJDP-NIJJDP	ALLEN-MAGEN, BARBARA	PAUL J LAVRANAS

GRANT RECIPIENT NAME AND ADDRESS	PROGRAM CLASSIFICATION
NORTHWESTERN UNIVERSITY	SUBJECT: CRIME ASSESSMENTS
CENTER FOR URBAN AFFAIRS AND POLICY RESEARCH	ACTIVITY: RESEARCH-SOCIAL SCIENCES
SURVEY LAB, 633 CLARK STREET	
EVANSTON, IL 60201	


GRANTEE (IF NOT SAME AS RECIPIENT):

TITLE: PILOT-TEST TELEPHONE SURVEY METHODS

PROJECT SUMMARY
THIS PROJECT PROPOSES TO CONDUCT THREE TELEPHONE SURVEYS TO STUDY THE EFFICACY OF TELEPHONE SURVEY METHODS IN GATHERING INFORMATION ABOUT MISSING CHILDREN AND RELATED ISSUES. THIS WORK WILL BE CONDUCTED FOR THE OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION U.S. DEPARTMENT OF JUSTICE, IN SUPPORT OF THEIR FULFILLMENT OF THEIR CONGRESSIONAL MANDATE AS SET FORTH IN THE 1984 FEDERAL MISSING CHILDREN'S ASSISTANCE ACT. WITH INPUT FROM OJJDP STAFF AND A TECHNICAL ASSISTANCE SUBCONTRACTOR (ILLINOIS DEPARTMENT OF STATE POLICE, SEARCH), THE NORTHWESTERN UNIVERSITY SURVEY LABORATORY WILL PLAN, EXECUTE, AND ANALYZE THESE SURVEYS DURING THE PERIOD, JANUARY 13, 1986 THROUGH JULY 31, 1986. THE FIRST SURVEY WILL BE CONDUCTED IN THE CHICAGO METROPOLITAN AREA, WITH THE OTHER SURVEYS SAMPLING A STATE-WIDE POPULATION. PLANNING FOR EACH SURVEY WILL BE DONE ON AN ITERATIVE BASIS, WITH SUBSEQUENT SURVEYS BASED ON THE FINDINGS OF EACH PREVIOUS SURVEY.

TOTAL	\$10,930,767	22
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AUG 07 1986

 U.S. DEPARTMENT OF JUSTICE <input type="checkbox"/> OJARS <input type="checkbox"/> NIJ <input type="checkbox"/> LEAA Check <input checked="" type="checkbox"/> BJSX OJJDP Appropriate Box		GRANT MANAGER'S MEMORANDUM, PT. 2 PROJECT SUMMARY <input checked="" type="checkbox"/> GRANT <input type="checkbox"/> COOPERATIVE AGREEMENT	
		PROJECT NUMBER 86-HC-CX-0001 (S-1)	
<input type="checkbox"/> This project is supported under Title I of the Justice System Improvement Act of 1979, 42 USC 3701. <input checked="" type="checkbox"/> This project is supported under Title II of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended. <input type="checkbox"/> Other:			
1. GRANT CONTACT (Name, address & telephone number) Barbara Allan-Hagan NIJJDP/RLPDD 633 Indiana Ave., N.W. Washington, D.C. 20531 202/724-5929		2. PRINCIPAL INVESTIGATOR (Name & telephone number) Dr. Paul J. Lavakas Associate Professor Northwestern University Survey Lab 633 Clark Street Evanston, Illinois 60201	
3a. TITLE OF PROGRAM National Studies of the Incidence of Missing Children		3b. ADO CODE CA	
4. TITLE OF PROJECT Pilot-Testing Telephone Survey Methods for Measuring the Incidence of Missing Children and Associated Attitudes			
5. NAME & ADDRESS OF EXECUTIVE Northwestern University Center for Urban Affairs & Policy Research Survey Lab 633 Clark Street Evanston, Illinois 60201		6. NAME & ADDRESS OF SUBGRANTEE N/A	
7. PROGRAM PERIOD 1/13/86 - 12/31/86		8. BUDGET PERIOD 1/13/86 - 12/31/86	
9. AMOUNT OF AWARD \$22,837		10. DATE OF AWARD N/A	
11. SECOND YEAR'S BUDGET PERIOD N/A		12. SECOND YEAR'S BUDGET AMOUNT N/A	
13. THIRD YEAR'S BUDGET PERIOD N/A		14. THIRD YEAR'S BUDGET AMOUNT N/A	
15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse) <p>This project proposes to conduct telephone surveys to study the efficacy of telephone survey methods in gathering information about missing children and related issues. This work will be conducted in response to the Congressional mandate as set forth in the 1984 Federal Missing Children's Assistance Act. With input from OJJDP staff and a technical assistance subcontractor (Illinois Department of State Police I-SEARCH), the Northwestern University Survey Laboratory will plan, execute, and analyze these surveys during the period, January 13, 1986 through December 31, 1986.</p> <p>HC</p>			

OJARS FORM 300/1 (8-80)

REPLACES LEAA FORM 499/11 WHICH IS OBSOLETE.

206S

 U.S. DEPARTMENT OF JUSTICE <input type="checkbox"/> OJAS <input type="checkbox"/> NJJ <input type="checkbox"/> LEAA <input type="checkbox"/> Check <input type="checkbox"/> BJSX OJDP Appropriate Box		GRANT MANAGER'S MEMORANDUM, PT. I PROJECT SUMMARY <input checked="" type="checkbox"/> GRANT <input type="checkbox"/> COOPERATIVE AGREEMENT PROJECT NUMBER	
<input type="checkbox"/> This project is supported under Title I of the Justice System Improvement Act of 1979, 42 USC 3701. <input checked="" type="checkbox"/> This project is supported under Title II of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended. <input type="checkbox"/> Other:			
1. STAFF CONTACT (Name, position, telephone number) Edw. Allen-Ragan 2622D/210000P 555 Indiana Ave., N.W. Washington, D.C. 20531 (202) 724-5929		2. PERSONNEL (Name, position, telephone number) Seymour Sudman, Ph.D. Survey Research Lab University of Illinois 1005 West Nevada Street Urbana, Illinois 61801 (312) 335-2276	
3. TITLE OF PROGRAM National Incidence Study of Missing Children		4. NCIC CODE NC	
5. TITLE OF PROJECT Studying the Incidence of Missing Children by Special Research Methods			
6. BOARD OF TRUSTEES Board of Trustees University of Illinois c/o Office of Grants & Contracts P.O. Box 4348 Chicago, Illinois 60680		7. DATE OF SUBMITTAL N/A	
8. PROGRAM PERIOD 8/15/86 - 8/14/87		9. PROJECT PERIOD 8/15/86 - 8/14/87	
10. AMOUNT OF FUNDS \$69,767		11. DATE OF FUNDING August 15, 1986	
12. FISCAL YEAR & BUDGET PERIOD N/A		13. FISCAL YEAR & BUDGET PERIOD N/A	
14. FISCAL YEAR & BUDGET PERIOD N/A		15. FISCAL YEAR & BUDGET PERIOD N/A	
16. SUMMARY DESCRIPTION OF PROJECT (For information on request) This study is one of a series of pilot tests OJJDP has initiated for the purpose of designing a national incidence study of missing children. The goal of this project is: to explore the effectiveness of multiplicity sampling and capture-recapture procedures for improving estimates of the incidence of missing children. The aim of multiplicity sampling is to spread the identification of members of a special population more broadly over the total population; this proposed research would measure the accuracy with which specialized networks report missing children. Capture-recapture procedures have been used to estimate the number of households or individuals missed in a census and more recently has been proposed as a method for measuring the homeless population; the major use of capture-recapture procedures in any survey of missing children would be to determine the number of these children who are not linked to a housing unit.			

OJAS FORM 4000/1 (8-80)

REPLACES LEAA FORM 4006/11 WHICH IS OBSOLETE.

2975



NATIONAL
CENTER FOR
MISSING
& EXPLOITED
CHILDREN

1835 K Street, N.W. • Suite 700 • Washington, D.C. 20006
202/634-8521

August 21, 1986

The Honorable Dale E. Kildee
Chairman
Subcommittee on Human Resources
Committee on Education and Labor
U.S. House of Representatives
402 Cannon House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

In an effort to ensure the accuracy of the Congressional Record for the hearing on the oversight of the Missing Children Assistance Act as conducted by the Subcommittee on Human Resources on August 6, 1986, I would like to clarify certain issues.

Contrary to claims made by certain witnesses, the National Center for Missing and Exploited Children is not now, and has never been, in favor of the "jailing" of children who voluntarily leave their homes. Nor did the Center arrange to have pictures of missing children put on kitty litter bags. Although the Center's Hotline number was prominently displayed on the bag, a closer examination of the kitty litter package, will reveal that a different organization arranged the display on that kind of packaging.

Further, the Center has never claimed that more than 5,000 unidentified dead children are buried each year. At the hearings, it was also claimed that the Center's 1984 brochure contributed to an outrageous scare campaign by informing the American public that there were up to 30,000 stranger abductions. In fact, the Center's 1984 brochure states, "Between 20,000 to 50,000 children disappear each year and their cases remain unsolved by the end of the year. Included in this group are the victims of criminal abduction and foul play; small children stolen by individuals to raise as their own, or for sale; children who remain voluntarily missing for months; and the victims of accidental deaths."

Although the National Center is not chartered to perform the National Incidence Study, the National Center is committed to providing accurate information to the public concerning the results of those statistical studies that have been performed by reputable individuals, agencies, and organizations.

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Early in 1985, the Center prepared an analysis of the statistical issue that included an in-depth analysis of the source of the figures as well as the strengths and weaknesses of the studies quoted. (See attached "Background Information on Missing Children.") The Center is not engaged in conducting any independent incidence study. That function has been undertaken by the Office of Juvenile Justice and Delinquency Prevention.

One of the issues raised at the hearings by several witnesses, expressing differing points of view, was the treatment to be accorded to runaways by missing and exploited child programs. For example, one witness argued that runaways are not properly considered to be among the "truly missing" as he defines that term and that services under the Missing Children's Assistance Act to that population (over the age of 13) should be terminated. Certainly that was not the position taken by other witnesses who argued that more of the funds appropriated under the Missing Children's Assistance Act should go toward meeting the needs of the runaway population.

One witness claimed to be sole author of the Missing Children's Assistance Act, thereby cloaking himself in a not entirely deserved aura of authority concerning the Congressional intent in enacting the Missing Children's Assistance Act. This entirely ignores the contribution of others who participated in formulating and drafting that legislation. His claim also ignores the 535 Members of Congress who supported this bill in its present form.

As this witness acknowledges, his views were not the only views and compromises were achieved upon such issues as the definition of missing child. "Unfortunately, the final compromise language of the Missing Children's Assistance Act waffled on the definition of a 'truly missing child'...." Congress ultimately adopted a somewhat more expansive definition of "truly missing child" than that desired by the witness.

Thus, under the terms of the Missing Children's Assistance Act, the Administrator of the Office of Juvenile Justice and Delinquency Prevention is to undertake the performance of specified tasks including the establishment of a national resource center and clearinghouse to provide technical assistance in locating and recovering missing children; to coordinate programs which locate, recover, or reunite missing children with their legal custodians; to disseminate information about innovative missing children's programs and legislation; and to provide technical assistance to elements of the criminal justice system, nonprofit agencies and individuals in the prevention, investigation, prosecution, and treatment of the missing and exploited child cases. Section 404 (b) (A-D).

For purposes of providing technical assistance under these sections, the applicable definition of "missing child" is found in Section 403 and provides that services are to be provided in cases of missing children (less than 18 years old) whose whereabouts are unknown to the child's legal custodian if the circumstances of the disappearance indicate that the child may have been taken

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from the legal custodian without that custodian's consent, or if the circumstances strongly indicate that the child is likely to be abused or exploited.

The Administrator of the Office of Juvenile Justice and Delinquency Prevention is also to establish and operate a national toll-free telephone line by which people can report information regarding the location of any "missing child" or any other child, 13 years of age or younger, whose whereabouts are unknown to such child's legal custodian. Callers are also entitled to request information about procedures to reunite a child with the child's legal custodian. Section 404 (b) (1).

Thus, Congress has established two definitions. One defines "missing child" for purposes of providing the more extensive "technical assistance" services offered by the National Center and a second definition of "missing child" which is applicable to the Hotline and applies to all children under the age of 13 regardless of the circumstances under which they disappeared. Hotline services are also to be available to "missing children" over the age of 13 if the circumstances indicate removal without the legal custodian's consent or a strong likelihood of sexual exploitation.

The National Center for Missing and Exploited Children has entered into a contract with the Administrator of the Office of Juvenile Justice and Delinquency Prevention to act as the national resource center and clearinghouse. Although the Center adheres to the definitions of the Missing Children's Assistance Act, it should be noted that the Administrator is bound by the definitions of the Act; the Center is bound by the terms of its contract with OJJDP. Furthermore, the Center is bound by the terms of its contract with OJJDP only to the extent of the performance of tasks specified by the contract and paid for with OJJDP funds. Should the Center choose to undertake additional programs and pay for them with private funds, the Center would be free to do so.

Nonetheless, at this point, it is important to clarify the role of the Center in serving the needs of the runaway population and their families. As can be readily observed from the terms of the Missing Children's Assistance Act, the focus of the missing children effort is to assist the families to locate, and recover or become reunited with their missing children--including the runaways.

In contrast, the focus of the DEHS funded runaway and homeless youth programs is to provide shelter and other services to the runaways themselves until they can be reunited with their families or until they have achieved a stable, alternative placement or are emancipated. There is some crossover in both types of programs, but they are designed to avoid duplication of federal effort and serve different, though legitimate, needs. Some of the witnesses might appear to ignore the legitimate needs of the families of those who leave home voluntarily in their zeal to provide more services to meet the needs of the runaway children themselves. The Center feels that it is important to meet the needs of both.

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Many children who have ultimately been found dead have been, initially, classified as a "runaway." Because the child was "just a runaway", the families have been unable to obtain appropriate assistance and investigation of the circumstances under which the child disappeared. This was the case for many of the victims murdered by John Wayne Gacy.

Pursuant to the express intention of Congress, the National Center offers assistance to the families to locate and recover their missing children. When a call is taken on the Hotline, an attempt is made to elicit information from the families to give a reasonable indication concerning the circumstances under which the child disappeared and whether the child is endangered.

All families of those who are voluntarily missing receive the brochure developed by the National Center which provides information concerning productive avenues for the family to explore in the search for their child. (See attached brochure.) All families are informed by the Hotline operators of the systems available to them in their local community. This includes a referral to local nonprofit organizations that provide help to families experiencing this kind of crisis. It also includes advising the family to contact the three national runaway hotlines and all local youth service providers to leave a message for the child.

If the child is under the age of 13, or if the voluntarily missing child is believed to be endangered, the case will be assigned to a Technical Advisor for more intensive followup. (Thus, the distinctions codified in the Missing Children's Assistance Act are observed.) The truly difficult decisions made at this stage involve cases in which there is insufficient evidence on which to reach a conclusion concerning whether the child is or is not missing voluntarily and concerning whether or not the child is endangered. Many cases of this nature remain ambiguous until the child is located.

Calls are also taken from children who are voluntarily missing. Some call wanting assistance in obtaining a safe shelter or other services. In that case, the child will be told of the national runaway switchboards and how to contact them. They may also be told of local youth services providers. On occasion, the child will be kept on the Hotline while Center Hotline operators make arrangements with the local service provider. Others call wanting assistance in returning home. In that case, the Center provides assistance available through such programs as the Trailways runaway program or the Greyhound Missing Children transportation program.

In the event information is provided to the National Center concerning evidence of or suspicion of child abuse, referrals will be made to the appropriate child abuse hotline or agency responsible for investigation of those allegations. When appropriate, Center staff will directly contact the local agency.

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Although the National Center has many points of dispute with some of the witnesses, they cannot be addressed without making this letter exceedingly lengthy. However, I feel compelled to make one final point. The Missing Children's Assistance Act provides that assistance is to be rendered to law enforcement agencies, state and local governments, elements of the criminal justice system, public and private nonprofit agencies and individuals in the prevention, investigation, prosecution, and treatment of the missing and exploited child case.

When a child is kidnapped and sexually assaulted and released (or murdered), that child has been taken from the place where that child is supposed to be to a place where additional crimes can be committed and that child is further criminally victimized. The crime of kidnapping is defined by criminal laws of our states. In cases where there is evidence (or a presumption) of interstate transportation of the child-victim, it may become a federal crime as well. Is the Missing Children's Assistance Act to be interpreted to apply only to federal cases? This appears to be the crux of one witness' definition of "truly missing."

What then becomes of the mandate of the Missing Children's Assistance Act to provide technical assistance to law enforcement agencies, state and local governments, elements of the criminal justice system, public and private nonprofit agencies and individuals in the prevention, investigation, prosecution, and treatment of the missing and exploited child case?

What becomes of cases such as that of Deborah Carlson's daughter, Vicki Lynn, who was kidnapped, taken into the desert, and murdered? A paroled serial child-rapist has been charged with her murder. Her body was found buried in a shallow grave in the Arizona desert seven months after her disappearance. Her case is no longer a federal case because the body was found in the same state as that in which she disappeared. Is the National Center not to provide technical assistance to her family? To the Pima County Sheriff? To the Pima County District Attorney? To the Pima County Victim-Assistance Office? Each of these individuals and agencies has contacted the National Center for technical assistance. Yet, Vicki was killed within 24 hours of her disappearance and, thus, she would not have been considered "truly missing" under that witness' definition of that term. It is our contention that the Missing Children's Assistance Act does, in fact, contemplate the provision of technical assistance in such cases.

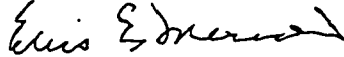
We would appreciate the inclusion of the enclosed documents which were referenced during our testimony. Included is the written testimony of Special Agent Ken Lanning of the Federal Bureau of Investigation before the Government Information, Justice and Agriculture Subcommittee of the House Committee on Government Operations on April 9, 1986, and the letters regarding the role of the National Center as read into the record by Robbie Callaway at the hearing.

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Mr. Chairman, I hope that this correspondence will be included in the record of the hearing and will assist the Subcommittee in its oversight responsibilities. Thank you for this opportunity.

Sincerely



Ellis E. Meredith
President

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APR - 8 1986

OPENING STATEMENT
OF
SPECIAL AGENT KENNETH V. LANNING
BEHAVIORAL SCIENCE UNIT
TRAINING DIVISION
FEDERAL BUREAU OF INVESTIGATION
BEFORE THE
GOVERNMENT INFORMATION, JUSTICE, AND
AGRICULTURE SUBCOMMITTEE
OF THE
COMMITTEE ON GOVERNMENT OPERATIONS
UNITED STATES HOUSE OF REPRESENTATIVES
REGARDING
SERIAL VIOLENT CRIME
APRIL 8, 1986

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I AM SPECIAL AGENT KENNETH V. LANNING, A MEMBER OF THE BEHAVIORAL SCIENCE UNIT OF THE FBI'S TRAINING DIVISION AT THE FBI ACADEMY IN QUANTICO, VIRGINIA. I AM HERE TODAY AT THE REQUEST OF THE GOVERNMENT INFORMATION, JUSTICE AND AGRICULTURE SUBCOMMITTEE OF THE COMMITTEE ON GOVERNMENT OPERATIONS TO PROVIDE INFORMATION CONCERNING CHILD ABDUCTION AND THE RESEARCH CURRENTLY BEING CONDUCTED BY THE FBI'S BEHAVIORAL SCIENCE UNIT.

IN RECENT YEARS THERE HAS BEEN A TREMENDOUS INCREASE IN PUBLIC AWARENESS AND CONCERN FOR THE PROBLEM OF MISSING CHILDREN. CITIZEN GROUPS, THE MEDIA, CONGRESS AND LAW ENFORCEMENT HAVE INCREASINGLY FOCUSED ON THE ISSUE OF MISSING AND EXPLOITED CHILDREN. MUCH OF THE CREDIT FOR INCREASING SOCIETY'S AWARENESS OF THIS PROBLEM BELONGS TO THE PARENTS OF MISSING CHILDREN SUCH AS JULIE PATZ AND JOHN WALSH.

IN RECENT MONTHS THERE HAS BEEN INCREASING DEBATE AND CONTROVERSY CONCERNING THE NATURE AND THE SCOPE OF THE PROBLEM OF MISSING CHILDREN. ALTHOUGH DETAILED AND MORE PRECISE STATISTICAL DATA IS JUST NOW BEING COLLECTED, MOST EXPERTS AGREE THAT THE VAST MAJORITY OF MISSING CHILDREN ARE ADOLESCENT RUNAWAYS OR THROWAWAYS AND THAT MOST ABDUCTED CHILDREN ARE TAKEN BY NON-CUSTODIAL PARENTS. THIS DOES NOT NECESSARILY MEAN THAT THE PROBLEMS OF MISSING CHILDREN HAVE BEEN EXAGGERATED. HOMELESS TEENAGERS ARE AT GREAT RISK OF BECOMING VICTIMS OF DISEASE, DRUGS, ALCOHOL, EXPLOITATION, CRIME AND VIOLENCE. CHILDREN ABDUCTED BY A PARENT CAN SUFFER MUCH PSYCHOLOGICAL AND EMOTIONAL TRAUMA AND, IN SOME CASES, EVEN PHYSICAL AND SEXUAL ABUSE.

HOWEVER, THE MOST COMMON TYPE OF MISSING CHILDREN CASES REFERRED TO THE BEHAVIORAL SCIENCE UNIT FOR ANALYSIS AND INVESTIGATIVE ASSISTANCE ARE THOSE INVOLVING THE APPARENT ABDUCTION OF A CHILD BY A STRANGER OR NON-FAMILY MEMBER. ALTHOUGH MOST EXPERTS AGREE THAT STATISTICALLY THIS IS THE SMALLEST CATEGORY OF MISSING CHILDREN, NO ONE IS SURE OF THE EXACT SCOPE OF THE PROBLEM. IN 1984, THE FBI INVESTIGATED 69 CASES INVOLVING ABDUCTED CHILDREN WHICH MET THE CRITERIA FOR THE FEDERAL KIDNAPPING STATUTE. THE REPORTING OF THIS FIGURE HAS BEEN MISINTERPRETED BY SOME TO MEAN THAT THE FBI IS ALLEGING THAT ONLY 69 CHILDREN WERE ABDUCTED IN 1984. THIS IS NOT ACCURATE. THIS FIGURE INCLUDES ONLY CHILDREN ABDUCTED IN ONE STATE AND LOCATED IN ANOTHER STATE, OR CHILDREN ABDUCTED AND NEVER FOUND. IT DOES NOT INCLUDE CHILDREN ABDUCTED BY A PARENT, CHILDREN ABDUCTED AND FOUND IN THE SAME STATE, OR CHILDREN ABDUCTED AND NOT REPORTED MISSING TO THE FBI. A RECENT STUDY BY THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN IDENTIFIED 709 CASES IN 1984 IN WHICH CHILDREN WERE VICTIMS OF KIDNAPPING OR ATTEMPTED KIDNAPPING BY NON-FAMILY MEMBERS OR DISAPPEARED UNDER UNKNOWN CIRCUMSTANCES.

WHATEVER THE NUMBER MAY BE, IT IS DIFFICULT TO MEASURE THE IMPACT OF THE STRANGER ABDUCTION OF CHILDREN BY NUMBERS ALONE. DATA FROM THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN STUDY INDICATE THAT 70.1% OF THE CHILDREN KIDNAPPED BY NON-FAMILY MEMBERS WERE ALSO VICTIMS OF SEXUAL ASSAULT, MURDER OR PHYSICAL ASSAULT. MORE DISTURBING IS THE FACT THAT 22.1% OF THE CHILD VICTIMS IN THIS STUDY OF NON-FAMILY ABDUCTION WERE ALSO MURDERED.

FOR UNDERSTANDABLE EMOTIONAL REASONS, MUCH OF THE EMPHASIS FOR PUBLICIZING AND PREVENTING THE STRANGER ABDUCTION OF CHILDREN HAS BEEN PLACED ON THE YOUNG CHILD AS THE VICTIM. HOWEVER, LAW ENFORCEMENT RECORDS EXAMINED IN THE NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN STUDY INDICATE THAT 62.4% OF THE CHILDREN KIDNAPPED WERE BETWEEN THE AGES OF 11 AND 17 YEARS. IN ADDITION, OF THOSE ENTERED AS INVOLUNTARILY MISSING IN THE MISSING PERSON FILE OF THE FBI NATIONAL CRIME INFORMATION CENTER (NCIC) IN 1984, APPROXIMATELY 75% WERE CHILDREN 13 TO 18 YEARS OF AGE. THESE NUMBERS SEEM TO INDICATE THAT MAYBE MORE ATTENTION AND MORE PREVENTION PROGRAMS NEED TO BE DIRECTED AT THE ADOLESCENT VICTIM. THE COMMONLY HEARD WARNING "NEVER LEAVE YOUR CHILDREN UNATTENDED" IS GOOD ADVICE-FOR YOUNG CHILDREN. I DEFY ANY PARENT TO GO TO A SHOPPING CENTER WITH THEIR TEENAGE SON OR DAUGHTER AND ATTEMPT TO IMPLEMENT THIS ADVICE.

ANALYSIS BY THE BEHAVIORAL SCIENCE UNIT OF CASES INVOLVING THE ABDUCTION OF CHILDREN BY NON-FAMILY MEMBERS HAS IDENTIFIED FIVE MAJOR PATTERNS OF BEHAVIOR:

1. EMOTIONALLY DISTURBED - INDIVIDUALS WITH A REAL OR IMAGINED VOID IN THEIR LIFE WHICH THEY ATTEMPT TO FILL BY ABDUCTING A CHILD. MANY OF THESE OFFENDERS ARE WOMEN.
2. RANSOM - INDIVIDUALS WHO ATTEMPT TO OBTAIN FINANCIAL GAIN FROM THE FAMILY OF THEIR CHILD VICTIM. BECAUSE CONTACT IS MADE WITH THE VICTIM'S FAMILY, THESE ARE USUALLY THE EASIEST CASES TO SOLVE.

3. PROFIT ~ INDIVIDUALS WHO ATTEMPT TO OBTAIN FINANCIAL GAIN FROM OTHER THAN THE FAMILY OF THEIR CHILD VICTIM. THE CHILD VICTIM COULD BE SOLD TO A VARIETY OF THIRD PARTIES RANGING FROM LOVING COUPLES TO SEXUAL EXPLOITERS.
4. SEXUAL ~ INDIVIDUALS WHO ABDUCT CHILDREN IN ORDER TO ENGAGE IN SEXUAL ACTIVITY. AFTER THE SEXUAL ACTIVITY, THE CHILD VICTIM CAN BE KEPT, RETURNED, DISCARDED OR KILLED.
5. KILLER ~ INDIVIDUALS WHO ABDUCT CHILDREN IN ORDER TO KILL THEM. SUCH INDIVIDUALS MAY ENGAGE IN SEXUAL ACTIVITY BEFORE, DURING OR AFTER THE MURDER, BUT MURDER-NOT SEX-IS THEIR PRINCIPAL MOTIVATION.

LOCAL, STATE AND FEDERAL LAW ENFORCEMENT HAVE REQUESTED INVESTIGATIVE SUPPORT FROM THE BEHAVIORAL SCIENCE UNIT IN CHILD ABDUCTION CASES PRIMARILY INVOLVING SEXUALLY MOTIVATED OFFENDERS AND CHILD KILLERS. THE BEHAVIORAL SCIENCE UNIT HAS ATTEMPTED TO ASSIST IN THESE INVESTIGATIONS BY PROVIDING PERSONALITY PROFILES IN CASES WITH UNKNOWN SUBJECTS, AND PERSONALITY ASSESSMENTS IN CASES WITH KNOWN SUSPECTS OR SUBJECTS. THE UNIT IS ALSO ATTEMPTING TO LEARN MORE ABOUT THE TYPES OF CHILD ABDUCTORS WHO SEXUALLY ASSAULT AND/OR MURDER CHILDREN.

IN ADDITION TO THE ISSUE OF MISSING CHILDREN, IN RECENT YEARS CONSIDERABLE ATTENTION HAS ALSO FOCUSED ON THE ISSUE OF SEXUAL ABUSE OF CHILDREN. MEDIA STORIES AND CONGRESSIONAL HEARINGS HAVE DEALT WITH TOPICS SUCH AS CHILD PORNOGRAPHY, SEXUAL ABUSE IN DAY CARE CENTERS, AND PEDOPHILES. MANY PEOPLE HAVE

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ALMOST TOTALLY LINKED THE ISSUES OF MISSING CHILDREN AND SEXUALLY ABUSED CHILDREN. THEY ASSUME THAT THE CHILDREN PICTURED IN CHILD PORNOGRAPHY ARE ABDUCTED CHILDREN. THEY ASSUME THAT ANY INDIVIDUAL WHO ABDUCTS AND SEXUALLY ABUSES A CHILD IS A PEDOPHILE. THESE ASSUMPTIONS ARE USUALLY INCORRECT.

THE VAST MAJORITY OF AMERICAN CHILDREN IN PREPUBESCENT CHILD PORNOGRAPHY WERE NOT ABDUCTED INTO SEXUAL SLAVERY. THEY WERE SEDUCED INTO POSING FOR THESE PICTURES OR VIDEOS BY PEDOPHILE THEY PROBABLY KNOW. THEY WERE NEVER MISSING CHILDREN. IN SOME CASES THEIR OWN PARENTS TOOK THE PICTURES OR MADE THEM AVAILABLE FOR OTHERS TO TAKE THE PICTURES. CHILDREN IN PUBESCENT CHILD PORNOGRAPHY ARE MORE LIKELY TO BE MISSING CHILDREN, BUT USUALLY THEY ARE ADOLESCENT RUNAWAYS OR THROWAWAYS AND NOT ABDUCTED CHILDREN.

INDIVIDUALS WHO ABDUCT AND SEXUALLY ABUSE CHILDREN AND/OR MURDER CHILDREN ARE NOT NECESSARILY PEDOPHILES. PEDOPHILES ARE INDIVIDUALS WITH A SEXUAL PREFERENCE FOR CHILDREN. MANY OF THE INDIVIDUALS WHO ABDUCT AND SEXUALLY ASSAULT CHILDREN DON'T HAVE A SEXUAL PREFERENCE FOR CHILDREN BUT HAVE A PREFERENCE FOR WEAK, VULNERABLE VICTIMS. THIS DISTINCTION MAY HAVE LITTLE OR NO MEANING FOR THE VICTIM, THE VICTIM'S FAMILY THE MEDIA AND SOCIETY IN GENERAL. HOWEVER, IT COULD HAVE A GREAT DEAL OF MEANING FOR LAW ENFORCEMENT INVESTIGATORS DECIDING WHERE TO DIRECT RESOURCES. THROUGH CRIME ANALYSIS AND THE DEVELOPMENT OF PERSONALITY PROFILES, THE BEHAVIORAL SCIENCE UNIT ASSISTS LAW ENFORCEMENT INVESTIGATORS TO MAKE THESE DISTINCTIONS AND TO NARROW THE FOCUS OF THEIR INVESTIGATION. IN ADDITION, THE

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BEHAVIORAL SCIENCE UNIT HAS RECENTLY PROVIDED INVESTIGATIVE ASSISTANCE IN SEVERAL CASES IN WHICH PARENTS WHO REPORTED THEIR CHILD MISSING AND WHO MADE IMPASSIONED PUBLIC PLEAS FOR THE RETURN OF THEIR CHILD WERE SUBSEQUENTLY CHARGED WITH OR CONVICTED OF THE MURDER OF THAT CHILD. THESE ARE ESPECIALLY DIFFICULT AND SENSITIVE CASES TO INVESTIGATE.

IN AN EFFORT TO LEARN MORE ABOUT SEXUALLY MOTIVATED CHILD ABDUCTIONS AND MURDERS, THE BEHAVIORAL SCIENCE UNIT HAS RECENTLY BEGUN A NEW RESEARCH PROJECT. THIS RESEARCH IS FUNDED BY AN OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION GRANT THROUGH DR. ANN BURGESS AND THE UNIVERSITY OF PENNSYLVANIA. AS A PART OF THIS RESEARCH, MEMBERS OF THE BEHAVIORAL SCIENCE UNIT ARE INTERVIEWING INCARCERATED OFFENDERS WHO HAVE ABDUCTED AND SEXUALLY ASSAULTED AT LEAST ONE CHILD. THE PROCEDURES AND GOALS OF THIS RESEARCH ARE ESSENTIALLY THE SAME AS THOSE DESCRIBED BY SSA ROBERT R. HAZELWOOD IN HIS STATEMENT. THE MAJOR DIFFERENCE IS THAT THE FOCUS IS ON A DIFFERENT TYPE OF CRIME. HOWEVER, IT IS SIGNIFICANT TO NOTE THAT SEVERAL OFFENDERS WHO RAPED TEN OR MORE WOMEN ALSO ABDUCTED AND SEXUALLY ASSAULTED CHILDREN. TO DATE, APPROXIMATELY 15 OFFENDERS HAVE BEEN INTERVIEWED AS PART OF THIS RESEARCH PROJECT. THE INTERVIEWS AND THE ANALYSIS OF THIS DATA IS CONTINUING.



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BACKGROUND INFORMATION ON
MISSING CHILDREN

MAY 1985

No one is certain of the exact magnitude of the problem of missing children in the United States. While we do understand some of the parameters of the problem, there is much that we do not yet know. For this reason, the Congress of the United States, in October 1984, mandated national incidence studies on the problem of missing children. In the upcoming months, the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice will be conducting these studies.

Some facts are known. The National Crime Information Center, administered by the Federal Bureau of Investigation, maintains a computerized system which can be used by local law enforcement agencies to report cases of missing persons. In 1984, the system received reports of over 212,000 cases of missing children in the United States. However, this does not fully describe the number of cases of missing children because this system is still significantly underutilized by law enforcement agencies and, in addition, many cases remain unreported to official agencies. Thousands of cases of missing children are simply not entered. A total of over 247,000 cases of missing persons (adults included) were reported to this system in 1984. 238,000 records were removed during the same year. Official records entered into this system show evidence of the existence of over 28,000 cases of missing children currently missing as of a particular date.

Some data from local and state agencies does provide important information on the numbers of missing children in the United States. A report prepared by the Illinois Department of Law Enforcement in March 1984 indicated that the Chicago Police Department reported 11,291 persons under the age of 17 as missing during 1980. Eight thousand of these records were classified as children who had voluntarily left home. At the end of March 1985, the State Clearinghouse administered by the State of Florida Department of Law Enforcement reported 3,054 cases of children currently listed as missing in that state as of that date.

As one will discover from reading this text, the traditional definitions of "runaways," "parental kidnappings," and "stranger abductions" are oversimplified, misleading, and often inaccurate. In addition, traditional law enforcement record-keeping systems do not accurately reflect and identify these populations.

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The Definition of "Missing Children"

It is important to note that the United States Congress and the legislatures of several states have recently defined the concept of missing children. In October 1984, the United States Congress defined the term "missing children" to include any individual under 18 whose whereabouts are unknown to the individual's legal custodian if either the circumstances indicate that the child may possibly have been abducted or the circumstances indicate that the child is likely to be abused or sexually exploited. The National Center for Missing and Exploited Children regards any child whose whereabouts are unknown to their parent, guardian, or legal custodian as a "missing child." All available evidence indicates that any child who has lost his or her home for any reason is indeed at risk.

Children Who Are Voluntarily Missing or Abandoned

A national statistical survey commissioned by the United States Department of Health and Human Services in 1976 estimated that, at that time, 733,000 children voluntarily left home annually. The Inspector General of the Department of Health and Human Services in October 1983 made a "conservative" estimate of 1,155,384 runaways or homeless youths annually in the United States. The Inspector General's report concluded with the following two paragraphs:

"Police and juvenile probation respondents consistently advised us that only one in four or one in five runaways/homeless whom they see is ever arrested, detained or officially counted and that many runaways are not reported as missing by their parents. A statistically structured study in California found that only one in six runaways is reported as missing by parents or guardians and that only one in five runaways knows about the availability of runaway shelters. Applied against even the most conservative number of counted youth identified above (558,662), these multipliers of four to six would mean that runaway and homeless youth exceed two million nationally.

"A conservative conclusion is that (a) many runaways and homeless youth are not counted in any official statistics, (b) there never has been a national statistical study of both runaway and homeless youth, (c) this group is notoriously difficult to count and (d) estimates over one million are fully consistent with the judgment of police, school and other officials about the overall number of runaway and homeless youth in the U.S."

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The professionals who have had direct experience with these cases have learned that this is certainly an endangered group of children who are often the victims of street crime or exploitation. Unfortunately, many of these children end up as homicide victims. Many children who have voluntarily left home may be fleeing from physical, sexual, or emotional abuse. Recent studies by the Louisville/Jefferson County Exploited and Missing Child Unit in Kentucky have shown that up to 11 percent of the children who have voluntarily left home end up as victims of criminal or sexual exploitation during their time away from home. By all indications, this is a large population of children who are most certainly at risk.

Finally, there is a population of children in this country who are "kicked out" of their living situations or abandoned under a wide variety of circumstances. Though their cases seldom come to the attention of the authorities, these children are certainly properly considered as lost or missing. The number of children who suffer this fate is difficult if not impossible to determine.

Parental Kidnapping

Estimates from various organizations of the number of children who are the victims of non-custodial parental kidnapping vary from 25,000 up to three quarters of a million cases each year. A preliminary survey directed to estimate the national incidence of parental child-snatching was reported in the Journal of Marriage and the Family in August 1984. That study, conducted by the University of Rhode Island and Lou Harris and Associates, estimated 459,000 to 751,000 incidents of child-snatching each year. Interviews with officials in the Santa Clara County, California District Attorney's Office indicate an estimated 1,000 inquiries a year from parents who suspect that this crime may have been committed in that jurisdiction. There are no surveys or estimates of the incidence of parental kidnapping that have gained widespread approval or support.

No one knows the true parameters of this part of the problem of missing children because there currently exists no effective record-keeping system to determine the extent of the problem. Experience has taught us that this, too, is an endangered group of children who are often exposed to neglect, emotional trauma, or physical abuse.

The definition of the crime of "parental kidnapping" or "custodial interference," is determined by individual state statutes.

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Abduction Or False Imprisonment
Of Children By Non-Family Members

Estimates of the number of children who are abducted or falsely imprisoned by an unknown individual or non-family member each year vary greatly. Some estimates place this number between 4,000 to 7,000, while others indicate that this may be happening to as many as 20,000 children each year, and possibly more. One estimate by the United States Department of Justice has indicated that this may be happening to as many as 5,000 children each year (Attorney General, June 1984).

One of the critical difficulties in establishing effective statistics is regard to this particular kind of abduction has to do with legal, statutory, and practical interpretations of abduction and false imprisonment. One common misunderstanding occurs because many individuals and official organizations anticipate that most children who are abducted by unknown individuals or non-family members will be gone for a substantial period of time, sometimes forever. The reality is that there are thousands of children in this country who are kidnapped or falsely imprisoned each year by non-family members or unknown individuals--and yet they only remain missing for a number of minutes or hours. This situation often involves the kidnapping or false imprisonment of a child for sexual abuse or exploitation. In legal, statutory, and practical terms, these children are missing and are the victims of abduction or false imprisonment by non-family members. These cases are typically recorded as sexual offenses rather than as abductions.

There are at least three other classifications of missing children who are in fact the victims of abduction or false imprisonment by non-family members but whose cases are never recorded as such. One group is the children who are classified as voluntarily missing or labeled as "runaways" simply because of the age of the child. In many cases, the circumstances discovered later indicate that these children were the victims of abduction or homicide. Another population of abducted missing children are those who are classified as voluntarily missing simply because of an absence of explicable facts upon which to conclude that the child is a victim of foul play or abduction. Unfortunately, many of these children are victims of abduction or exploitation or even murder, but because of a lack of evidence indicating an abduction, these cases are recorded as "runaways" or as "unexplained." Another group of cases that are rarely included in the abduction category are those situations where the child has voluntarily left his or her home and yet ends up as a victim of abduction or murder. This is a significant population of children at risk whose cases are rarely known to authorities or properly classified.

When we finally apply proper legal, statutory and practical interpretations to this part of the problem of missing children, we will certainly learn that this is a tragedy that affects many thousands in this country each year.

Background Information on
Missing Children
Page Five

The Link Between Missing and Exploited Children

Recent studies conducted by the Exploited and Missing Child Unit in Louisville, Kentucky, have shown that as many as 85 percent of the children who have been criminally or sexually exploited were in fact missing at the time of the act of exploitation. The condition of being "missing" increases the probability of child victimization.

Sunny von Bulow

National Victim Advocacy Center

July 28, 1986

Mr. Ernest Allen
Chairman of the Board
National Center for Missing and
Exploited Children
1835 K Street, N.W.
Suite 700
Washington, D.C. 20006

Dear Mr. Allen:

I would like to take the opportunity to advise you of the significant progress made by the National Center for Missing and Exploited Children in America's victims' rights movement.

The Sunny von Bulow National Victim Advocacy Center was founded in 1985 to provide programs, services, and advocacy for violent crime victims and victims' groups nationwide. One of the first professionals in the field to offer resources and guidance was your Executive Director, Jay Howell. In the six months that have passed since that initial meeting, the National Center and our Center have worked closely to provide services to both missing and abused children.

Your staff generously provided our national resource library with extensive documents concerning child abuse and missing children. My staff, in turn, has been able to send these resources to victims in need. Furthermore, we have developed a cooperative effort between our two organizations which involves extensive sharing of information and referral services. And we have found your toll-free hotline to be a valuable service to the parents and friends of child victims whom we serve.

At the Fourth National Conference on Sexual Child Abuse, our two organizations co-sponsored a forum for parents of sexually abused children. In spite of the abundance of excellent workshops, the feedback we received indicated that this special forum was perhaps the best attended and one of the most interesting programs offered at the entire conference.

307 West 7th Street, Suite 1001

Fort Worth, Texas 76102

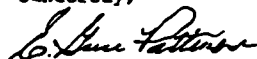
(817) 877-3355

Mr. Ernest Allen
July 28, 1986
Page two

Just last week, the National Center again co-sponsored a highly successful day-long symposium for parents of abused children. Almost seventy parents from around the nation joined together to discuss salient issues, develop new skills, and learn about resources available to them as they seek justice for our children. The resource materials provided by the National Center contributed greatly to this seminar, as did the insights offered by Jay Howell.

Our Center recognizes the importance of networking with victims' rights organizations at the national level in order to improve our efforts to serve local groups. We have found a friend and an ally in the National Center. You should be extremely proud of your organization's contributions to America's victims rights movement.

Sincerely,



E. GENE PATTERSON
Executive Director

EGP/aks



June Vlasaty
Executive Director
29 Thurston Avenue
Newport, RI 02840
(401) 847-5063

July 25, 1986

THE SOCIETY FOR YOUNG VICTIMS

The National Center for Missing & Exploited Children
Joy Howell, Executive Director
1835 K Street, N.W.
Washington, D.C. 20006

Dear Jay:

As the Executive Director and Founder of The Society for Young Victims, an eleven year old private voluntary missing children organization; I must admit to experiencing apprehension in the formation of The National Center for Missing & Exploited Children. In particular, reference to March 13, 1986, in which I reviewed a conversation we had in Chicago. You indicated to us that the private nonprofit organizations would receive funds from OJJDP and that the National Endowment for the Protection of Children would match these funds to fifteen or twenty of the older private nonprofit organizations. It is my interest in knowing if the intent of the National Endowment is to be fulfilled.

In all sincerity, in all ways other than the statement above, the professionalism that exudes from the Center has reigned supreme throughout inception and now during the Center's tenure. It has been a rewarding experience working with individuals such as yourself, John Patterson, Marsha Gilmer-Hill, Carla Lynch and many others on the executive level. Technical assistance has been extended with a determination in sharing knowledge on many levels, whether it be for advice, suggestions or legal consultations. I know that when the Center is contacted, callers are greeted in a manner that is of concern, along with a pleasant willingness comprised to benefit the caller's intentions and requests. It is especially comfortable upon first contact, that the caller is made aware of the person he/she is speaking with by name.

The exploration of even greater capabilities being formed are growing every day, with one organization learning from another. It is necessary to further your growth and experience to continue your leadership regarding missing and exploited children, their families and all of the organizations that admirably benefit from the Center, presently and in the future.

It is with utmost importance The National Center for Missing & Exploited Children continue with their necessary functions in order to achieve the goals toward the freedom of America's missing children, and to constantly be available to organizations in offering the Center's expertise in all areas to keep better informed the nation's missing children organizations.

With my heart, I wish you continued success with a sincerity that only one can feel when living and working for missing children and their issues every day, as we both do. Your work is most appreciated and necessary - success always!

Sincerely,

June Vlasaty
June Vlasaty, Executive Director
JVL/s



HELP US KEEP THESE SNEAKERS FILLED...



OFFICE OF
DISTRICT ATTORNEY
 BUREAU OF INVESTIGATION
 Court House

DONALD M. STAHL
 District Attorney

P. O. Box 442

Modesto, California 95333

Tel. (209) 571-5854

Reply to:

September 27, 1985

Ms. Janet E. Kosid
 National Center for Missing
 and Exploited Children
 1835 "K" St., N.W., Suite 700
 Washington, DC 20006

Dear Janet:

It was good meeting you at the conference in San Diego, although I did not get to speak to you at length.

You mentioned that you have a new up-dated edition of your booklet: "Parental Kidnapping, How to Prevent an Abduction and What to Do if Your Child Is Abducted." I would request a copy. Actually, I would like about 20 - could you advise of cost. I would give it to my victim parents. I find your publications useful rather than mere publicity.

Also, you said that you maintain a list of individuals to assist in child stealing cases. Please add my name, and feel free to have your staff call. I have had experience with local, state, national and international cases.

Thank you for your cooperation.

Very truly yours,

DONALD M. STAHL
 District Attorney

Raymond D. Harter
 Raymond D. Harter
 Criminal Investigator

RDH/rp

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STATE OF MICHIGAN



JAMES J. BLANCHARD, GOVERNOR
DEPARTMENT OF STATE POLICE
714 S. HARRISON RD., EAST LANSING, MICHIGAN 48823
COL. GERALD L. HOUGH, DIRECTOR

July 25, 1986

Mr. Jay Howell
Executive Director
National Center for Missing and
Exploited Children
1835 K Street, NW
Suite 700
Washington, DC 20006

Dear Mr. Howell:

It has come to my attention that a hearing concerning the National Center will take place on August 4, 1986, in Washington, D.C. On the eve of these discussions I would like to express our appreciation to you and your staff for the cooperation and assistance the National Center has provided the Michigan State Police.

We have especially found the series of publications for investigators to be useful and timely. Your ability to provide this type of technical resource on such a large scale has increased our effectiveness in keeping our field investigators better informed on the issues of missing and exploited children.

Sincerely,

ROGER L. WARNER, CAPTAIN
Commanding Officer
Criminal Investigation Section
East Lansing

RLW:bg



THOMAS J. TARKENTON
E. THOMAS TARKENTON
THOMAS E. TARKENTON
JAMES H. TARKENTON, JR.

August 15, 1986

Dear Mr. Meredith:

In your written testimony, you indicated that NCHEC has "provided assistance in over 5,000 cases in which the child was eventually located or recovered." You further indicated that "assistance" encompasses a range of possible activities. In order to better understand the nature of the assistance provided in these 5,000+ cases, please describe

- * in how many cases the assistance was taking a sighting call;
- * in how many cases the assistance was family counseling and referral;
- * in how many cases the assistance was sending an appropriate publication; and
- * in how many cases assistance was provided to law enforcement which proved critical in locating or recovering the child.

• How many active cases does NCHEC currently have?

• As a national resource center and clearinghouse, does NCHEC provide either information from other federal agencies or information about other federal agencies and resources? If so, please specifically describe the nature of this public service.

• Are reports and sightings of runaway children handled differently than reports and sightings of abducted children? Please explain.

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Dr. Ellis R. Swadlow
August 15, 1986
Page Two

- In your written statement, you indicated that there was emphasis on a nationwide campaign to protect our children, and that this campaign is designed "to encourage states to enact sound child protective legislation." Do these states or child safety or child campaign activities? Are any federal funds involved in this effort?
- In order to assist its operation, what contracts with organizations and individuals for the performance of various services. Please list each of these contracts, the parties and cost of each, and say each service is contracted pursuant to participation in-house.

A review of the meeting transcript has revealed that the official reporter did not transcribe the recorded remarks of Dr. Swadlow which Dr. Swadlow supplied during the meeting. However, if you would like to provide a transcription of these recordings, I will see that it is included in the record at the appropriate place.

Kindly respond to these questions by August 23, 1986. Your input and your response will be included in the future meeting record. Your cooperation in this matter is greatly appreciated.

Sincerely,


Dr. Ellis R. Swadlow
Chairman

ja



**NATIONAL
CENTER FOR
MISSING
& EXPLOITED
CHILDREN**

1835 K Street, N.W. • Suite 700 • Washington, D.C. 20008
202/634-9821

September 2, 1986

Wyle R. Kildee
Chairman
Subcommittee on Human Resources
Committee on Education and Labor
U.S. House of Representatives
401 Cannon House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your correspondence of August 15, 1986, concerning certain issues pertaining to missing and exploited children and the procedures of the National Center for Missing and Exploited Children in relation to those issues.

In response to your inquiry concerning the number of cases of missing children currently open at the Center, please be advised that as of June 31, 1986, the National Center for Missing and Exploited Children had 9,262 children's cases open.

In response to your inquiry concerning what information the Center provides about other federal agencies and resources, please be advised that, although not itself a federal agency, the National Center for Missing and Exploited Children, as a national resource center and clearinghouse, provides information both from federal agencies as well as about federal agencies and resources on issues of missing and exploited children. In several Center publications, we reference federal services and identify specific points of contact for accessing these resources. In addition, the Center provides information about numerous private nonprofit agencies and organizations that can serve as resources for individuals interested in these issues.

Although not a comprehensive list of all the federal agencies and resources utilized or referenced by the Center, the following is an attempt to provide to the Members of the Subcommittee an idea of the type and variety of federal resources available. The Center has distributed information developed by such federal agencies and resources as the Federal Parent Locator Service, the State Department Office of Citizen Consular Services, and AFOIOW. The Center provides information about such federal agencies and resources as the Justice Department, including the FBI, the Office of Juvenile Justice and Delinquency Prevention, the Office of Justice Programs, the Office of Victim Assistance, and the Marshall's Office; the Department of Health and Human Services, including HHS, the National Runaway Switchboard, the Administration for Children, Youth, and Families, and the Federal Parent Locator Service within the Office of Child Support Enforcement; the State Department, including the Office of Citizen Consular Services and the Passport Office; the Department of Labor (Wage and Hour Division); the Department of Defense (the Military

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DATA 2. 25/8/86
September 2, 1986
Page Two

Family Resource Center and individual branches of the armed forces); the Department of the Interior (Bureau of Indian Affairs); the Commerce Department (Commerce); the United States Postal Service; the Treasury Department (Glynco, Ga., International Training Center); the Department of Agriculture (U.S. Representative to Interpol); and the Senate Select Committee and the House Select Committee (Subcommittee on Federal Aid).

The agencies and resources listed in the preceding paragraph should not be considered to be exhaustive. Further examples of Federal agencies and resources can be found within the publications distributed by the Center.

In response to your inquiry concerning the exact nature of the assistance rendered, about a hundredth of over 5,000 children, that data is not presently available. Since the Center began its technical assistance operations in 1984, it has not anticipated that data of this nature would be required. Accordingly, an automated system was designed to capture it. However, in 1985, it became apparent that there would be a need to design and install an enhancement to our automated system capable of capturing data of this nature. The Center anticipates installing such an enhancement and having it operational by October 1, 1986. Data captured by this enhancement will be available for your agency after that date.

It should further be noted that only the investigating agency would be in a position to make a judgment call concerning whether or not the technical assistance rendered in a case was "critical" to the recovery of the child.

Since the data of the Subcommittee hearings, I have provided to you information concerning procedures followed by the Hotline and Technical Assistance staff when a report is received from the family of a child who is voluntarily missing from the U.S. or not. Attached please find a copy of that information provided by letter dated August 21, 1986.

The intent of the Center's provision of technical assistance in cases of missing children revolves around the question of whether the circumstances indicate that the children are endangered. All children abducted by non-family members are considered to be endangered. All voluntarily missing children 13 years of age or younger are considered to be endangered. All other reports of children voluntarily missing from their homes and parental abductions are reviewed to ascertain whether the circumstances indicate that the child is endangered. Cases of missing children who are determined to be endangered are assigned to a technical adviser who will provide the family, the law enforcement agency, and the appropriate missing children organization with technical assistance of the type detailed in the victim testimony submitted August 1, 1986.

Dale E. Kildoe
September 2, 1986
Page Three

Families reporting cases of missing children who are not believed to be endangered will receive written guidelines and information appropriate to the circumstances of their case and will be referred to resources available to them at the state and local level. Should they have questions or need additional information after reviewing the information, they will receive assistance from an Assistant Technical Advisor.

As mentioned in my letter to you of August 21, 1986, the most difficult case is the case in which there is insufficient evidence to determine whether the child left home voluntarily or involuntarily and whether or not the child is endangered. These cases frequently remain ambiguous until the child is located. The recent case of Jason Rodgers of Iowa is a case in point.

All sightings of missing children are sent to the appropriate law-enforcement agency.

In response to your inquiry concerning the Campaign to Protect Our Children, please be advised that the nationwide "Campaign to Protect Our Children" is a specified program under our cooperative agreement with the Office of Juvenile Justice and Delinquency Prevention. Other than staff time, direct expenses for the Campaign are being underwritten through non-federal contributions. Each state in the Campaign has the latitude to shape its Campaign as it deems appropriate. The National Center for Missing and Exploited Children has identified some legislative priorities that we encourage the states to consider. These priorities are identified in the attached brochure entitled "Child Protection Priorities in State Legislation."

The following are the active contracts for outside services utilized by the Center at the present time. Normal business services have been excluded from this analysis.

Mr. John Walsh is a spokesperson for issues pertaining to missing and exploited children and serves on the Board of Directors of the National Center for Missing and Exploited Children. The Center frequently receives requests for public presentations by John Walsh. The cost is a \$239.35 daily rate, plus expenses for those engagements authorized in advance by the Center.

The Susan Davis Company is the communications consultant for the Campaign to Protect Our Children. Costs associated with this contract are paid with nonfederal funds.

American Bar Association Although the previous contract has expired, negotiations for a new contract are pending. The contract may provide for legal consultation services to attorneys, possibly including the development of additional publications, legal research, or legislative research. Cost is on a time-reimbursement basis with an estimated budget of \$15,000 per year. This service is required, since the Center is not a legal corporation and therefore

Wile S. Kilday
September 2, 1966
Page Four

cannot dispense legal advice. It is designed to supplement the legal technical assistance provided by the Center staff and allow the Center to facilitate attorney access to other sources of expertise within the legal community.

City of Boston, Trustees of Health and Hospitals We have used the services of Dr. Ann Burgess to write a publication to translate research findings on runaway children to provide technical assistance for the law-enforcement and professional practitioner. The cost is \$10,896. The service was used because the Center does not have the expertise to write certain technical publications.

Andrew Page is a consultant hired to conduct a field survey and needs assessment of state clandestine operations. The cost of the survey is estimated not to exceed \$5,500. This service is required to assist in planning delivery of technical assistance to clandestine. Staff resources are insufficient to conduct the survey in a timely manner.

Mr. Chairman, I hope that these answers to the questions submitted by you and the Subcommittee staff serve to clarify your understanding of the issues and the services provided by the National Center for Missing and Exploited Children and will assist the Subcommittee in its oversight responsibilities.

Thank you very much for the opportunity to respond.

Sincerely,

Wile S. Kilday
Wile S. Kilday
President

Child Protection Priorities in State Legislation



National Center for Missing & Exploited Children

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Child Protection Priorities in State Legislation

While child protection clearly begins in the home — with proper education in prevention techniques — there are many ways outside the family that parents can help address the problem. Many of the laws created to protect children are weak. Citizens can get involved by persuading their legislators of the need for strong and effective state legislation to protect children.

This brochure will help you get involved in the legislative process. And, to give you ideas for the kinds of laws that are needed, we have included a descriptive summary of the seven areas of legislation that are critical for an effective state code to protect children.

The Legislative Process

It is important to understand that, because regulations for police practices, courtroom procedures, and sentencing and parole practices are controlled by state law, it is essential that the governing laws be changed by the state legislatures.

There are a number of different ways in which you can be instrumental in effecting new laws in your state. The most common approach is to contact your state representatives or state senators and explain what provisions you feel are needed. If they agree, they will introduce, sponsor, or support a bill in your state legislature. If your own state representative will not help, try representatives from other districts in your state.

A second approach is to contact your governor, who can, in many instances, initiate legislation. Even when your state representative is introducing a bill, it is helpful to secure the backing of the governor. No matter which approach you take, however, it is wise to solicit the support of community organizations and local interest groups. You may want to organize a meeting between your state representatives and senators and these individuals and organizations that are working for the safety and protection of children.

Getting a bill through the state legislature is not a mystery. A few general rules apply. You should contact elected representatives from both sides of the legislature if your state has a two-part legislature. It is also wise to contact members of both parties. Laws to protect children should transcend party affiliation.

In addition, bills that are cosponsored and have bipartisan support are the most likely to succeed.

Finally, you should make an effort to track the bill throughout the legislative process. Citizens can attend hearings, assess the bill's problems, and lobby for its passage by contacting state representatives who seem undecided about the issue. Furthermore, some states have provisions that allow citizens to comment directly on pending bills.

Child Protection Priorities

After consulting with numerous professionals who are responsible for handling cases of missing and exploited children, the National Center for Missing and Exploited Children developed a priority list of seven legislative proposals, which are described below:

1. Creating a state clearinghouse for missing and exploited children. A state clearinghouse should be designed to be a central repository for information about missing and exploited children, especially for those cases occurring within that state. A state clearinghouse should also provide assistance to local law-enforcement agencies by securing the cooperation of other state, federal, and local agencies; utilizing the state's resources to disseminate information and pictures of missing children throughout the state and nation; and providing training in specialized investigative techniques as well as education and training in crimes against children.
2. Education and prevention programs for the school, the parents, and the community. Educating children, families, and professionals about abduction, sexual exploitation, and child abuse is the best way to reduce crimes against children. The schools are a good place to begin. State legislation may be used to mandate that education and prevention programs for children be available throughout the state. In addition, state legislation may be used to set up community programs to educate professionals about child abuse and exploitation. These programs should be directed

toward sexual abuse, exploitation, and abduction as well as child abuse.

3. **Training for youth systems, social services, and criminal justice professionals.** While many states specifically mandate training and instructional courses for social services or criminal justice system investigators, few states mandate sufficient training and education in the critical area of child victimization and sexual assault. State requirements should be examined to ensure that this kind of training is specifically included in education and training programs for these professionals and that sufficient hours are devoted to these kinds of cases. It is essential that each state consider mandating pre-service and in-service training for law enforcement and social services professionals. In addition, each state should require an additional one-week in-service training program for those investigators who deal specifically with cases of child victimization. Each state may also want to consider in-service education programs for prosecutors and judges. Also, teachers need education and training programs about laws concerning child abuse and exploitation and how to report such cases.

4. **Mandating the reporting of child abuse.** Although most states have laws requiring certain professions to report child abuse, many states need to expand the scope of their child abuse reporting laws. In order to ensure that all cases of child abuse or exploitation are indeed reported, states need to expand the definition of *child abuse* to include *exploitation* (prostitution, pornography). States also need to expand the category of citizens who are required to report instances of child abuse. *All citizens* who have knowledge of child abuse should be required to report it. There should be penalties for those *professionals* who fail to report child abuse. Persons making "good faith" or "reasonable cause" reports should be protected from liability based on the report. Legislation is needed in some states to clarify to whom the report should be made and to require that agencies assigned responsibility in cases of child abuse share information with all other agencies with case responsibility (the police, social workers, mental health workers).

5. **Multidisciplinary child protection teams.** Child abuse, neglect, and exploitation are highly complicated cases involving many different interests—the child's physical, mental, and emotional health, the family, and the legal concerns. Therefore, it is essential that states mandate the development of child protection teams to handle such reports. The child protection team concept ensures that, at the or community level, a seasoned group of professionals will handle the cases.

6. **Parental kidnapping: a law that works.** Legislation is needed in many states to close traditional loopholes in statutes dealing with parental kidnapping. Legislation is needed to make parental kidnapping a felony crime whenever a child has been concealed from the lawful custodian. Legislation is also needed to address the cases in which no court order regarding custody or visitation has yet been issued and cases in which a parent outside of the state entices or takes a child away from the lawful custodian. Further legislation is needed in most states to clarify the police officer's authority to pick up the child and return the child to either the lawful custodian or to the court, and to provide for reimbursement of the costs of returning the child.

In many cases, the offending spouse uses other people to help kidnap the child. States may want to consider legislation that would make the crime applicable to any individual who assists or aids in the kidnapping of the child. Legislation is also needed to make a parent who unlawfully takes or conceals a minor child or any other person who knowingly aids the parent in the unlawful abduction or concealment of the child liable for civil damages. Finally, legislation may be needed to authorize a state to enter into an agreement with the State and Federal Parent Locator Services to utilize them in cases of parental kidnapping.

7. **Protecting the privacy of the child victim.** Unfortunately, while the privacy of juvenile offenders is protected in our court system, the privacy of child victims is not. Because of the severe emotional and psychological trauma associated with sexual assaults, child victims need even stronger privacy

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For a more complete description of the above programs as well as examples of effective state legislatures to protect children, write to the National Center for Copy of Selected State Legislation. Furthermore, the legal technical assistance staff of the National Center can provide state assistance in drafting and reviewing proposed legislation and provide information about similar legislation proposed in other states. The National Center can also provide to the state position papers and analyses of proposed legislation and educational information to help legislators understand the issues.

Points of view or opinions in this brochure are those of the NACAC and do not necessarily represent the official position or policies of the U.S. Department of Justice.

The National Center for Missing and Exploited Children serves as a clearinghouse of information on missing or exploited children; provides technical assistance to children and law enforcement agencies; offers training programs to parents and law enforcement; conducts public and community relations efforts; and provides information and advice on current state legislation to ensure the safety and protection of children.

A number of publications listed below are available by writing the National Center for Missing and Exploited Children, 1905 K Street, N.W., Suite 700, Washington, D.C. 20006.

- ❑ Director of Passport, Immigrant and Emigration for
Immigrant and Emigration Commission - a statutory state
body
- ❑ Personal Identification - a handbook for persons
- ❑ Summary of Relevant State Legislation - state
law in various children
- ❑ Child Protection - safety and supervision steps
- ❑ Just in Case ... Your Child is Missing -
procedures and advice for parents
- ❑ Just in Case ... Your Child is Sexually Abused or
Exploited - instructions for parents
- ❑ Just in Case ... Your Child is a Runaway -
guidelines for parents
- ❑ International Law



National Center for
 Learning and Educational Children
 195 E. 17th St., N.Y. 10003
 Washington, D.C. 20003



NATIONAL
CENTER FOR
MISSING
& EXPLOITED
CHILDREN

1835 K Street, N.W. • Suite 700 • Washington, D.C. 20008
202/634-9821

September 4, 1986

The Honorable Dale E. Kildee
Chairman
Subcommittee on Human Resources
Committee on Education and Labor
U.S. House of Representatives
402 Cannon House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

During testimony presented at the August 4, 1986, oversight hearings, Mr. William Treanor stated that the National Center for Missing and Exploited Children has put pictures of missing children on kitty litter bags. He displayed a Hartz cat litter package in support of that statement.

In our letter to you of August 21, 1986, the Center disputed the accuracy of that allegation. We stated that a close examination of the package will reveal that an organization other than the Center arranged the display on that kind of packaging. Attached please find a copy of the package displayed at the hearings by Mr. Treanor. We would appreciate it if you would allow it to be attached to our letter to you of August 21, 1986, and inserted into the hearing record as an exhibit.

The Center has allowed other organizations to display prominently the Center's national hotline number on photo displays of missing children for the purpose of reducing unnecessary duplication of national hotlines. However, as the packaging clearly states, the photo display on packages of kitty litter was provided by an organization other than the National Center for Missing and Exploited Children, and the Center has no control over their distribution choices.

We appreciate the opportunity to clarify this inaccuracy in the record. Once again, thank you for your assistance and cooperation in presenting complete and accurate information on these issues pertaining to missing and exploited children to the members of the Subcommittee and the Congress.

Sincerely,

Ellie E. Meredith
Ellie E. Meredith
President

jk

MISSING

CHILD

NAME: [REDACTED]

DOB: [REDACTED]

SEX: [REDACTED]

HAIR: [REDACTED]

EYES: [REDACTED]

HEIGHT: [REDACTED]

WEIGHT: [REDACTED]

LAST SEEN: [REDACTED]

LOCATION: [REDACTED]

CONTACT: [REDACTED]

REWARD: [REDACTED]

IF YOU CAN IDENTIFY THESE CHILDREN OR ANY OTHER MISSING CHILD, REPORT ANY INFORMATION YOU MAY HAVE TO:

The National Center for Missing and Exploited Children:

1-800-843-5878

Provided as a public service by

International Police Computer and

National Child Safety Council



September 15, 1986

The Honorable Dale E. Kliden, Chairman
 Subcommittee on Human Resources
 Committee on Education and Labor
 402 Cannon House Office Building
 Washington, D.C. 20515

Re: Overnight Hearing on the Missing Children's
 Assistance Act

Dear Mr. Chairman:

Because of my strong interest in the welfare of homeless, runaway and "missing" children, I was gratified that the Subcommittee took the time to give primary consideration to the accomplishments and failures of the Missing Children's Assistance Act ("MCAA"). Whether by work at Covenant House nor my membership on the board of directors of the National Center for Missing and Exploited Children fully prepared me for the sharp exchange of views evident in the written statements before the Subcommittee; reading those statements was always thought-provoking and often enlightening.

Many issues remain unsettled in the wake of that debate, however, and I do not envy the task you and the other members of the Subcommittee face in sorting through conflicting claims of fact, motivation, and achievement. But with regard to one issue on which you received testimony—the interaction between programs under the MCAA and the Runaway and Homeless Youth Act—I think it important to comment at least briefly. My involvement with providing legal services at Covenant H. to homeless and runaway children, and so of necessity my need to understand both of these important laws, makes me unwilling to leave your record plastered with inaccuracies and misconceptions in this area.

Mr. William Browner of the American Youth Work Center was the witness who most clearly raised the interesting question of whether the MCAA and the National Center for Missing Children might in large part be supplanting functions which were properly should be performed by programs under the Runaway and Homeless Youth Act. I admired Mr. Browner's ability to spot this important issue, but I find myself profoundly distressed by his handling of it. So far as I can tell, his attempt at interpretation of the MCAA is badly in error. His description of runaway teenagers is at best incomplete and at worst distorted; his portrait of the federal runaway system is flattering but misleading.

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1. The Missing Children's Assistance Act and Runaways. At the heart of Mr. Treasurer's testimony is a startlingly radical interpretation of the MCAA—an interpretation which rests on his simple, stark view that, "teenage runaways are not missing." He asserts flatly that such children are beyond the purview of the program, especially the National Center, funded under the MCAA. In support of his view he cites the Congressional language establishing a national toll-free hotline "by which individuals may report information regarding the location of any missing child, or other child 13 years of age or younger whose whereabouts are unknown" MCAA, 404(b) (1). This provision, he argues, shows plainly that "Congress intends that runaways over 13 be served by the non-law enforcement system and through the shelters and hotline funded by the Runaway Youth Act."

It is my view that this interpretation, while ingenious, wholly misreads the letter and spirit of the MCAA. The very definition of "missing child" in Section 403(1) refutes it: such children include not simply those who "may possibly" have been abducted, but also those who: (1) are under 18 years of age, (2) "whose whereabouts are unknown"; and (3) whose circumstances "strongly suggest that such individual is likely to be abused or sexually exploited." Thus it was for all children under age 18 that Congress sought to provide some measure of protection in the MCAA. The section referred to by Mr. Treasurer merely provides greater protection for children under age 13; Section 401(b) dictates that the national hotline should make itself available to all parents of any "unanticipated person" whose whereabouts are unknown.

More than the letter of the law, however, this interpretation slights the logic and the passion which persuaded Congress to enact the MCAA. When parents discover their child gone, how do they know whether the child has been abducted, has run away, or is in danger of abuse or sexual exploitation? Subsequent events or careful investigation may provide the answer, but who do parents turn to in the interim? Mr. Treasurer makes no claim that Congress erred in its findings, both in 1982 and 1984, that law enforcement agencies and previously existing programs were incapable of responding adequately to this parental terror. The MCAA, in prescribing the establishment of a toll-free hotline and a "national resource center," seeks simply to fill the needs of distraught parents—and overtaxed law enforcement officials—for immediate, competent advice on what can and should be done to seek their lost child.

2. "Runaway" vs. "Missing" Children. An even more fundamental flaw in Mr. Treasurer's approach to interpreting the MCAA is its implicit assumption that teenage runaways are not, in the terms of the Act, "likely to be abused or sexually exploited." 403(1) (8). The Runaway Youth Act itself was, in fact, premised on precisely the opposite conclusion. Thus Senator Bayh declared at the beginning of the Senate's first hearing on such a law, in January of 1972, that "a young person seriously endangers himself when he leaves home," with runaways often becoming "the easy victims of street gangs, drug pushers, and hardened criminals." Runaway Youth, Hrg. before the Subcomm. to Investigate Juvenile Delinquency, Comm. on the Judiciary, U.S. Senate, 92nd Cong., 1st Sess. 5-6 (1972). More to the point, Mr. Treasurer himself proclaimed such likelihood of physical and/or sexual abuse in his testimony at those hearings:

I do not know, Senator, how—I guess I do not feel able to be very sensationalistic about it, but I would say that

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there is hardly a thing that a person in this room could think of that could happen to a young (runaway) person that does not happen regularly, from homosexual involvement to involvement with every conceivable drug, including heroin, to being taken off by someone to cross the country, to being injured.

Id. at 14.

This view of teenage runaways, so clearly expressed then, has been fully corroborated by virtually every relevant piece of research in the last decade. Thus all significant studies of juvenile prostitution have shown that the vast majority of young prostitutes began their "careers" when, in the words of one major study, "they were on the run, broke, and needed money for food and shelter." S. Berlin, et al, Male and Female Adolescent Prostitution, 31, 34 (1981). And fully 26 percent of teenage runaways in a New York City study stated that they needed "protection from people they were afraid of". D. Shaffer & C. Cason, Runaway and Homeless Youth in New York City, 47 (1984). Indeed, one quarter of the girls in that study told the interviewers that they had been raped. Id. at 44.

When the MCHA by its terms includes any lost children "likely to be abused or sexually exploited" among those deemed to be "missing," it would be perverse and unrealistic to exclude teenage runaways. Mr. Zinsner is correct in his assertion that the vast majority of runaways return home soon after leaving, but while many they are extremely vulnerable to the kinds of abuse he described so forcefully in 1972. More important, the parent of a runaway does not know whether his or her child is one of those who will come home soon and escape injury, or one of those who will encounter personal tragedy on the street. I find it inconceivable that Congress meant to exclude such a parent from the services to be offered under the MCHA—particularly as it was well known in 1984, as now, that most children described as "missing" are in fact runaways.

3. The Runaway System and "Missing Children". A more explicit assumption in Mr. Zinsner's statement is that "the Runaway Youth Act [sic] program is alive and well and serving some 250,000 young people and their families each year." I yield to no one in my regard for the Runaway and Homeless Youth Act ("RHYA") system and in my high estimate of its importance to vulnerable children. But I think it is ludicrous to believe that the system is reaching more than a tiny fraction of all runaways, and an even smaller fraction of families whose children have disappeared.

Rather than discuss this point in detail here, I simply enclose a copy of a recent article in which I attempted, in part, to assess the strengths and weaknesses of the RHYA and current runaway programs: The Federal Battle Against Sexual Exploitation: Proposal for Reform, 9 Harvard Women's L.J. 105, 116-120 (1986). In addition to my comments there, however, I should note two facts of particular relevance to the trauma of parents of missing, runaway teenagers. First, the RHYA provides that runaway programs "shall develop adequate plans for contacting parents," but in practice parental contact often cannot occur—it is easily frustrated, for example, by a youth giving a false name. Second, the National Runaway Switchboard, while an invaluable service, is badly overstressed,

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with a past performance record that is spotty. See Office of Inspector General, Dept. of H.S.S., Runaway and Homeless Youth National Program Inspection 13-15 (1983). It is hardly, as Mr. Treanor suggests, a "successful example" of what "putting out competitive bids" can mean. Further, it can hardly be counted on to provide assistance to more than a small minority of concerned parents. Like the rest of the RHYA system the Switchboard is an answer to part of a very grave problem and only to part.

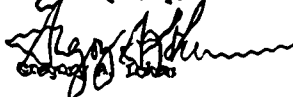
The MCHA, by contrast, provides for a much smaller program that, again, responds only to a portion of the needs of families with lost children and teenagers. Jane Bucy, Executive Director, of the National Network for Runaway and Youth Services, last summer told this Subcommittee, for example: "The missing children's movement or issue has certainly involved the law enforcement personnel at a much better level than we runaway folk were ever able to manage." The previous lack of such involvement, she continued, had "ignored the safety of those children." Like June, I am convinced through my work with runaway and homeless children that their problems, and the desperate anguish of their parents, are not, as Mr. Treanor insists, separable from the concerns addressed by Congress in the MCHA. Indeed, Congressional belief in the complementary nature of the programs is suggested by the placement of the MCHA immediately after the RHYA in the U.S. Code. The views of the Department of Health and Human Services on this matter are suggested, likewise, by the allocation of \$590,486—or 2.5 percent—of all RHYA funds for Shelter Linkages to Missing Children Programs, in FY 1985.

I cannot, then, enlist in the internecine war Mr. Treanor has attempted to declare between the runaway youth movement and programs for missing children. The National Center for Missing and Exploited Children, in particular, has not lived up to the impossible hopes of its founders or, indeed, of the rest of us, but then, neither has the shelter system or hotline established under the RHYA. Mr. Treanor is perfectly within his rights to point out the failures of the National Center when he does so fairly and accurately. In this area, at least, he has not done so, and I hope that the Subcommittee will not follow his advice regarding the treatment of runaways under the MCHA.

Thank you for your long distinguished leadership in regard to both the Runaway and Homeless Youth Act and the Missing Children's Assistance Act. Please feel free to contact me if you have questions about any aspect of this issue, and please thank Jeff McFarland for his great courtesy over the telephone.

All best,

Yours very truly,



GAL:jd
Enc.

cc: William Treanor
Ellis Meredith
Jane Bucy

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Article

The Federal Battle Against Child Sexual Exploitation: Proposals for
Reform

Gregory Loken

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THE FEDERAL BATTLE AGAINST CHILD SEXUAL EXPLOITATION: PROPOSALS FOR REFORM

GREGORY LOKEN*

I know most—most of the people, kids in Houston that run away, I happen to know them as close personal friends. They do resort to . . . prostitution. That's like the big thing. They hang out at the corner, and they'll be thumbing a ride, and after they get the ride, then they go to this guy's pad, and to get a place to sleep tonight they have to pay a price. And that wasn't for me.

—Mike Sturgis, 16-year-old "throwaway" youth¹

Paying "the price" for a place to sleep has become an all too familiar feature of growing up in America.² From 1970 to 1981, national arrests of juveniles engaging in prostitution skyrocketed 144%, even while the population of youths aged fourteen to seventeen, the prime years for entry into adolescent prostitution,³ fell seven percent.⁴ Juveniles now comprise a significant number

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¹ Oversight Hearing on Runaway and Homeless Youth: Hearing Before the Subcomm. on Human Resources of the House Comm. on Education and Labor, 99th Cong., 1st Sess. 36 (1985) (statement of Mike Sturgis) (hereinafter cited as 1985 Oversight Hearing).

² Prostitution and pornography are only the most graphic aspects of a national problem of child sexual abuse. For information on other forms of child sexual abuse, see A. RUSSELL & C. TRAINOR, TRENDS IN CHILD ABUSE AND NEGLECT: A NATIONAL PERSPECTIVE 21-35, 94, 107 (The American Humane Ass'n 1984).

³ Weisberg, *Children Of The Night: The Adequacy of Statutory Treatment of Juvenile Prostitution*, 12 AM. J. CRIM. L. 1, 5, 6 (1984).

⁴ U.S. DEPT. OF JUSTICE, UNIFORM CRIME REPORTS (table 30) (1985).

of all prostitutes,⁵ and evidence reveals that a substantial minority of those juvenile prostitutes are involved in commercial pornography.⁶ Larry Flynt, publisher of *Hustler* magazine, told a Congressional subcommittee in 1977 that "there are millions, not a handful, millions of people out there that are turned on by children and want to see them exploited sexually."⁷ The evidence suggests that those people have had their wish.⁸

For most of this century, the Mann Act⁹ was the primary federal statute addressing the sexual exploitation¹⁰ of chil-

⁵ S. O'BRIEN, CHILD PORNOGRAPHY 21 (1983) (estimating 300,000 male prostitutes under 16 in 1976 and 300,000 female prostitutes under 16 in 1978); Lee, *The Social World of the Female Prostitute in Los Angeles*, (1982 Ph.D. Dissertation for United States International University) (40% of prostitutes in the Los Angeles area were juveniles) (on file at HARV. WOMEN'S L.J.). See also Silbert & Pines, *Entrance Into Prostitution*, 13 YOUTH & SOCIETY 471, 473 (1982) (sample of 200 female street prostitutes contained approximately 60% age 16 or under, and 70% under age 21, with many as young as 10, 11 and 12 years old). The age distribution of male prostitutes has not been as carefully documented. But see MacNamara, *Male Prostitution in American Cities: A Socioeconomic or Pathological Phenomenon*, 35 AM. J. ORTHOPSYCHIATRY 204 (1965) (age range of 103 male prostitutes 15 to 23).

⁶ See D. WEISBERG, CHILDREN OF THE NIGHT 68-69 (1985) (of 54 juvenile male prostitutes, 27% had been photographed by a customer, including 17% photographed for commercial pornographic magazines and 11% for movies); Janus, Scanlon & Price, *Youth Prostitution*, in CHILD PORNOGRAPHY AND SEX RINGS 127, 139 (A. Burgess ed. 1984) (75% of male hustlers ages 14 to 25 had participated in pornography). See also 2 SEXUAL OFFENSES AGAINST CHILDREN: REPORT OF THE COMM. ON SEXUAL OFFENSES AGAINST CHILDREN AND YOUTHS APPOINTED BY THE MINISTER OF JUSTICE AND ATTORNEY GENERAL OF CANADA AND MINISTER OF NATIONAL HEALTH AND WELFARE 1198-99 (1984) (survey of juvenile prostitutes in Canada indicates they are "a high risk group in regard to being exploited by pornographers") [hereinafter cited as the BADOLEY REPORT, after the committee's chairman, Robin Badgley].

⁷ *Sexual Exploitation of Children: Hearings Before the Subcomm. on Crime of the House Comm. on the Judiciary*, 95th Cong., 1st Sess. 262 (1977) (statement of Larry Flynt) [hereinafter cited as *Subcommittee on Crime Hearings*].

⁸ One indication of the extraordinary rise of sexual exploitation of children is the contrast between the evidence gathered in 1971 by the U.S. Commission on Obscenity and Pornography and that presented to the U.S. House Subcommittee on Crime in 1977. The former found that "[m]agazines wholly composed of [nude] photos of young girls are unknown," and that "[p]repubescent children are apparently nonexistent in stag films." Sampson, *Commercial Traffic in Sexually Oriented Materials in the United States (1969-1970)*, in 3 TECHNICAL REPORTS OF THE U.S. COMM'N ON OBSCENITY AND PORNOGRAPHY: THE MARKET PLACE: THE INDUSTRY, 100 n.79, 188 (1971). But see *id.* at 100 (boys used as models in male magazines). The House Subcommittee, by contrast, was told that 5-10% of the pornography market in 1977 involved children. This market included substantial numbers of magazines and movies depicting young boys and girls in graphic sexual activity. *Subcommittee on Crime Hearings*, *supra* note 7, at 61 (testimony of Lloyd Martin, founder of the sexually exploited child unit of the Los Angeles Police Department).

⁹ 18 U.S.C. §§ 2421-2424 (1970 & Supp. 1985).

¹⁰ For purposes of this Article, "sexual exploitation" is defined as the use of children in either prostitution or sexually explicit photographed or videotaped performances; the

dren.¹¹ In the last twelve years, however, Congress has enacted several additional statutes that can also be applied to the problems of juvenile prostitution and pornography.¹² Such acts include the Protection of Children Against Sexual Exploitation Act of 1977,¹³ the Child Protection Act of 1984,¹⁴ the Runaway and Homeless Youth Act,¹⁵ the Missing Children's Assistance Act,¹⁶ and the Missing Children Act.¹⁷ This Article analyzes these statutes and proposes additional Congressional action in order to strengthen the means of prosecuting those who exploit children,

definition does not include, therefore, sexual abuse of children apart from involvement in prostitution or pornography. The sexual exploitation of children, particularly the use of children and adolescents in prostitution and pornography, is an issue of deep complexity that has only recently received scholarly attention, and only a very limited amount at that. See, e.g., Weisberg, *supra* note 3; Shouvin, *Preventing the Sexual Exploitation of Children: A Model Act*, 17 *Wake Forest L. Rev.* 535 (1981); Comment, *Freying on Playgrounds: The Sexual Exploitation of Children in Pornography and Prostitution*, 5 *Pepperdine L. Rev.* 809 (1978). It is beyond the scope of this Article to explore the full historical and legal background of the problem of sexual exploitation. For a brief account of the development of a social awareness of juvenile prostitution in the 1960's and 1970's, see D. WEISBERG, *supra* note 6, at 1-17. It is also impossible in this Article to discuss fully the special characteristics of the children involved and the apparent reasons they fall prey to exploitation. For excellent discussions of available research on the motivations for entering prostitution, see M. BENJAMIN, *JUVENILE PROSTITUTION: A PORTRAIT OF "THE LIFE"* 47-72 (1985) (resource document prepared for Ministry of Community and Social Services of Canada), and D. WEISBERG, *supra* note 6, at 159-60. The best available guide to the reasons male children are drawn into child pornography is the collection of studies contained in *CHILD PORNOGRAPHY AND SEX RINGS* (A. Burgess ed. 1984) (hereinafter cited as *CHILD SEX RINGS*). See also Silbert and Pines, *supra* note 5 (discussing motivations for entering prostitution).

¹¹ In addition, Congress, in 1908, ratified the International Agreement for the Suppression of the White Slave Traffic, 35 Stat. 1979 (1908).

¹² In addition, there are at least seven proposals in the present Congress directly aimed at preventing or punishing sexual exploitation of children. See H.R. 1704, 99th Cong., 1st Sess. (1985) (introduced by Rep. Clinger) (extending RICO to cover offenses relating to sexual exploitation of children and to authorize civil suits on behalf of victims of child pornography and prostitution); H.R. 2539, 99th Cong., 1st Sess. (1985) (Rep. McCain) (amending RICO to include the sexual exploitation of children as a predicate offense); S. 554, 99th Cong., 1st Sess. (1985) (Sen. Roth) (extending Mann Act to include the transportation of males and eliminating the lewd and commercial requirements in the prosecution of child pornography cases); S. 625, 99th Cong., 1st Sess. (1985) (Sen. Hawkins) (same as H.R. 1704); S. 985, 99th Cong., 1st Sess. (1985) (Sen. Grassley) (same as H.R. 1704, plus requirement of minimum sentences for sex crimes committed against children); S. 1187, 99th Cong., 1st Sess. (1985) (Sen. Specter) (creating civil remedies for children and other victims of pornography); S. 1305, 99th Cong., 1st Sess. (1985) (Sen. Tribble) (establishing criminal penalties for computer transmission of obscene matter relating to sexual exploitation of children).

¹³ 18 U.S.C. §§ 2251-2253 (1978).

¹⁴ 18 U.S.C. §§ 2251-2255 (1984).

¹⁵ 42 U.S.C. §§ 5701, 5702, 5711-5716, 5731, 5732, 5751 (1983 & Supp. 1985).

¹⁶ 42 U.S.C. §§ 5771-5777 (Supp. 1985).

¹⁷ 28 U.S.C. § 534 (Supp. 1985).

prevent further exploitation, and grant compensation to the victims of abuse.

1. EXISTING STATUTES

A. Current Criminal Statutes

1. The Mann Act

Although juvenile prostitution in the United States can be traced back to the mid-nineteenth century,¹⁸ the federal government's first attempt at regulation was not until 1910, when Congress passed the White-Slave Traffic Act (Mann Act).¹⁹ The Mann Act outlaws virtually all interstate movement that has the "primary purpose"²⁰ of engaging a woman or girl in prostitution or concubinage.²¹ The first section of the Mann Act²² criminalizes²³

¹⁸ In his famous study of 2000 New York City prostitutes during the 1850's, Dr. William Sanger found that three-eighths were between the ages of 15 and 20 years old. W. SANGER, *THE HISTORY OF PROSTITUTION* 452 (1919) (1st ed. 1858). See also, A. ROSE, *STORYVILLE, NEW ORLEANS* 148-50, 159 (1970) (girls as young as 10 entered turn-of-the-century New Orleans brothels).

¹⁹ The White-Slave Traffic (Mann) Act, ch. 395, 36 Stat. 825 (codified as amended at 18 U.S.C. §§ 2421-2424) (1970 & Supp. 1985).

²⁰ Where the main "purpose" of travel is other than sexual immorality the Act does not apply. See *Mortensen v. United States*, 322 U.S. 369 (1944) (brothel owners' transportation of prostitutes for vacation not within Act's proscription).

²¹ The Supreme Court in *Haysen v. Hall*, 291 U.S. 559, 562 (1934), placed some limits on the broad sweep of the statute by declaring it inapplicable to "extramarital relations, short of concubinage." Convictions under the first section of the Act are relatively rare: only 67 from July 1, 1972, through June 30, 1983, of which only 36 resulted in prison sentences. U.S. ADMIN. OFFICE OF U.S. COURTS, *ANNUAL REPORT OF THE DIRECTOR, SENTENCES IMPOSED CHART* (1983) (on file at HARV. WOMEN'S L.J.) [hereinafter cited as *SENTENCES IMPOSED CHART*].

²² 18 U.S.C. § 2421 (1970).

²³ Anyone is subject to five years' imprisonment and/or a fine of \$5,000 who:

knowingly transports in interstate or foreign commerce, or in the District of Columbia or in any Territory or Possession of the United States, any woman or girl for the purpose of prostitution or debauchery, or for any other immoral purpose, or with the intent and purpose to induce, entice, or compel such woman or girl to become a prostitute or to give herself up to debauchery, or to engage in any other immoral practice

Id.

the knowing transportation²⁴ of any woman or girl for the purposes of prostitution or any other "immoral practice."²⁵ The second section²⁶ penalizes the inducement or coercion of any female to travel for those same purposes.²⁷ While broad in the kinds of sexual immorality it seeks to reach, and unlimited in the age range of the women and girls it "protects," the Act is sharply limited by the fact that it applies only to females; the transportation of males for the same purposes is beyond its scope. In addition, although the first section reaches both interstate movement by the woman or girl and the purchase of a ticket for such interstate travel,²⁸ the second section is violated only when she actually makes the trip, and then only if she travels via "common carrier."²⁹ Thus, interstate travel by pimps to seduce prostitutes or by customers to make use of their services is also beyond the reach of the Act.

In its original form,³⁰ the third section of the Mann Act,³¹ like the second, imposed penalties for coercing females to travel for the purposes of prostitution or concubinage. This section simply offered more severe penalties than those provided by the second section when the female coerced was under age eighteen.³² The Protection of Children Against Sexual Exploitation Act of 1977,³³ however, dramatically revised this section.³⁴ The Act's most important change was the application of the section to both genders;

²⁴ Identical penalties are imposed on anyone who "procures tickets" for such transportation. *Id.*

²⁵ *Id.*

²⁶ 18 U.S.C. § 2422 (1970).

²⁷ While this section may seem important on a technical level, in practice it has fallen into virtually complete disuse. Between July 1, 1977 and June 30, 1983, there was only one conviction under this section of the Act. SENTENCES IMPOSED CHART, *supra* note 21.

²⁸ 18 U.S.C. § 2421 (1970).

²⁹ 18 U.S.C. § 2422 (1970).

³⁰ Act of June 25, 1910, ch. 395, § 4, 36 Stat. 826, revised by Act of June 25, 1948, ch. 645, § 1, 62 Stat. 812.

³¹ 18 U.S.C. § 2423 (Supp. 1985).

³² The third section imposes ten years' imprisonment and/or a \$10,000 fine rather than the five years/\$5,000 fine imposed by the second section for identical conduct toward adult women. *Id.*

³³ 18 U.S.C. §§ 2251-2253 (1978). For a full description of the legislative history of this provision, see Weisberg, *supra* note 3, at 13-18 (1984).

³⁴ Pub. L. No. 95-225, § 3(a), 92 Stat. 8 (1978). The entire text of the old statute was replaced by a new provision, now codified at 18 U.S.C. § 2423 (Supp. 1985).

boys under age 18 are now protected.³⁵ In addition, the revision substituted a clearly defined concept—"prohibited sexual conduct"—for the notoriously vague "immoral purpose" language of the prior law.³⁶ This new definition added a wide range of sexual acts³⁷ to the statute's prohibitions, which originally had been designed only in relation to sexual intercourse.

In at least one respect, however, the 1978 revision restricted the coverage of this section. Transportation of a minor for "prohibited sexual conduct" now is prohibited only if the perpetrator "knows or has reason to know" that the minor's conduct will be "commercially exploited."³⁸ Thus, the taking of a minor from state to state for the purpose of non-commercial sexual abuse is no longer within the scope of this section.³⁹ The revision made some progress in extending the reach of the statute, but the Mann Act still failed as a fully effective shield for children: between 1979 and 1983, only thirty-eight people were convicted under this section of the Act.⁴⁰

2. The Protection of Children Against Sexual Exploitation Act of 1977

The Protection of Children Against Sexual Exploitation Act⁴¹ (Sexual Exploitation Act) was designed to eradicate the national

³⁵ 18 U.S.C. § 2423(b)(1) (Supp. 1985). In addition, the "common carrier" requirement was eliminated. 18 U.S.C. § 2423(a) (Supp. 1985).

³⁶ 18 U.S.C. § 2423(b)(2) (Supp. 1985).

³⁷ The definition of "prohibited sexual conduct" added such activities as masturbation, bestiality, "sado-masochistic abuse," and "lewd exhibition of the genitals." *Id.*

³⁸ 18 U.S.C. § 2423(a)(2) (Supp. 1985). The law defines "commercial exploitation" as "having as a direct or indirect goal monetary or other material gain." 18 U.S.C. § 2423(b)(3) (Supp. 1985).

³⁹ Non-commercial sexual abuse comprises a substantial amount of child sexual abuse. In many of the sex rings studied in Belanger, *Typology of Sex Rings Exploiting Children*, in *CHILD SEX RINGS*, *supra* note 10, at 31, 78-79, the children were not actually prostituted in a commercial sense, although they were often transported interstate and used in pornography. Although the broad "immoral purpose" clause of § 2421 may cover such conduct with regard to girls, that section does not apply to boys. See 18 U.S.C. § 2421 (1970).

⁴⁰ SENTENCES IMPOSED CHART, *supra* note 21.

⁴¹ 18 U.S.C. §§ 2251-2253 (1978). For a collection of reprints of the most influential articles in the popular press leading to passage of the Sexual Exploitation Act, see *Protection of Children Against Sexual Exploitation, Hearings Before the Subcomm. to Investigate Juvenile Delinquency of the Sen. Comm. on the Judiciary, 95th Cong., 1st Sess. 121-38 (1977)* (hereinafter cited as 1977 Senate Hearings).

traffic in child pornography.⁴² The Act was a response to the Senate Judiciary Committee's finding that "[c]hild pornography and child prostitution have become highly organized, multimillion dollar industries that operate on a nationwide scale."⁴³

Before it was drastically changed by the passage of the Child Protection Act of 1984, the Sexual Exploitation Act regulated both the production and distribution of child pornography, but only in a limited way. Its provision related to producing pornography prohibited using "minors" for the production of any visual or printed medium depicting "sexually explicit conduct" if the work was, or the perpetrator knew or had reason to know the work would be, transported in interstate or foreign commerce.⁴⁴ The distribution provision prohibited mailing, transporting, or receiving through mail or interstate or foreign commerce, "for the purpose of sale," any obscene work depicting a "minor" engaging in "sexually explicit conduct."⁴⁵

Although the language of the Sexual Exploitation Act may have appeared far-reaching, its scope was actually severely restricted in several key ways. The Act defined "sexually explicit conduct" to include sado-masochistic abuse,⁴⁶ but only if such abuse occurred "for the purpose of sexual stimulation."⁴⁷ Yet sado-masochistic abuse harms the child regardless of whether the viewer of the abuse is sexually stimulated. Thus, defining the prohibited material from the standpoint of the viewer, rather than

⁴² In addition, the Sexual Exploitation Act also revised the Mann Act. See *supra* text accompanying note 34.

⁴³ S. Rep. No. 95-438, 95th Cong., 1st Sess. 5 (1978) quoted in *Ferber*, 458 U.S. at 749. ("Such magazines depict children, some as young as three to five years of age The activities featured range from lewd poses to intercourse, fellatio, cunnilingus, masturbation, rape, incest and sado-masochism."). *Id.* at 749. The prevalence of pornographic materials was fully supported by testimony at Congressional hearings. See, e.g., *Subcommittee on Crime Hearings*, *supra* note 7, at 117 (statement of Michael Speed) (producer-distributor admitted to having made \$2-7 million in his own "kiddie porn" operation); *id.* at 43 (statement of Dr. Judianne Densen-Gerber) (estimating that traffic in child pornography included some 264 different "kiddie porn" magazines); *Child Pornography: Sickening for Sale*, *Chicago Tribune*, May 15, 1977, reprinted in 1977 *Senate Hearings*, *supra* note 41, at 331; *It's Easy to Buy Child Pornography*, *Chicago Tribune*, May 18, 1977, reprinted in *id.* at 134-35.

⁴⁴ 18 U.S.C. § 2252(a) (1978).

⁴⁵ *Id.*

⁴⁶ The definition includes all simulated or actual "normal" and "deviate" sexual intercourse, bestiality, masturbation, sado-masochistic abuse and "lewd exhibition" of the genitals or pubic area of any person. 18 U.S.C. § 2253(2)(C)-(E) (1978).

⁴⁷ 18 U.S.C. § 2253(2)(D) (1978).

from the harm done to the child, left many sexually abused children unprotected by the Act.

Under the terms of the Act, "production" encompassed an equally wide variety of acts, including producing, directing, manufacturing, issuing, publishing, and advertising,⁴⁸ but only if motivated by "pecuniary profit."⁴⁹ Similarly, the distribution provision was restricted to acts with "the purpose of sale."⁵⁰ By restricting its application to child pornography produced or distributed for financial gain, the Act left child pornography made for the personal use of the pedophile or for trading with other collectors beyond its reach. Evidence indicates, however, that the motive for using children in pornography is frequently personal rather than monetary in nature.⁵¹ The non-commercial nature of much child pornography, in combination with the difficulties of assembling clear proof of a "profit" motive, proves hopelessly frustrating to federal law enforcement officials in their enforcement of the Sexual Exploitation Act.⁵²

Furthermore, in this section of the Act, "minors" only included children under the age of sixteen.⁵³ Because of this definition, the Act's pornography provision offered less protection than its prostitution provision, which applied to youths until age eighteen.⁵⁴

⁴⁸ 18 U.S.C. § 2253(3) (1978).

⁴⁹ *Id.*

⁵⁰ 18 U.S.C. § 2252(a)(1) (1978).

⁵¹ See 1977 Senate Hearings, *supra* note 41, at 62 (statement of Michael Sneed, summarizing Chicago Tribune Investigatory Findings Relating to Incidence of Child Pornography and Prostitution in Chicago) ("People who are involved in this business . . . love taking pictures of their victims. They point with pride, the more youthful, the better. They say, 'Look at this, 3 years old, 5 years old. Look what I did.' Sometimes these pictures are swapped with other friends and they show up in magazines and journals."). Given the conclusion of this witness that "[h]undreds of thousands" of children were involved in child pornography, *id.* at 59, it seems obvious that only a very few of those children were photographed commercially. See Belanger, *supra* note 39, at 79 (32 of 38 child pornography rings studied were either strictly or partially producing materials for personal use). See also *Exploited and Missing Children: Hearing Before the Subcomm. on Juvenile Justice of the Senate Comm. on the Judiciary*, 97th Cong., 2nd Sess. 39 (1982) (statement of Dana E. Caro, Inspector-Deputy Asst. Dir., Criminal Investigative Div., F.B.I.) ("largest percentage of child pornography available in the United States today was originally produced for . . . self-gratification . . . and was not necessarily produced for any commercial purposes") (hereinafter cited as 1982 Senate Hearing); *id.* at 47 (statement of Charles P. Nelson, Asst. Chief Postal Inspector, Office of Criminal Investigations) ("The bulk of child pornography traffic is non-commercial.").

⁵² See 1982 Senate Hearing, *supra* note 51, at 39 (statement of Dana E. Caro) (F.B.I. enforcement of Act "seriously impaired" by pecuniary interest requirement); *id.* at 47 (statement of Charles P. Nelson) ("only a handful of [the Postal Service's] non-commercial cases have been prosecuted federally").

⁵³ 18 U.S.C. § 2253(1) (1978).

⁵⁴ See 18 U.S.C. §§ 2423, 2251-2253 (1978 & Supp. 1985).

Perhaps the most severe restriction on the scope of the Sexual Exploitation Act was the language limiting its distribution provisions solely to those materials that were classified as "obscene."⁵⁵ Like the provision applying the Act to sado-masochistic abuse only when such abuse occurs for the purpose of sexual stimulation,⁵⁶ the obscenity provision is defined from the standpoint of the viewer. Without this restrictive definition, the Act could have reached even non-obscene sexually explicit depictions of children.⁵⁷ The Act, thus, could have been an extremely powerful addition to existing legislation. Nonetheless, since federal statutes already prohibited the mailing,⁵⁸ importation,⁵⁹ broadcasting,⁶⁰ or transportation⁶¹ of obscene matter, the Sexual Exploitation Act, with the obscenity restriction, added nothing new but the possibility of longer prison sentences for those dealing in obscene matter involving children.⁶² The federal anti-obscenity provisions existing before the Sexual Exploitation Act continued to be the mainstay of federal attacks on child pornography distribution;⁶³ as of November, 1983, only twenty-eight people had been indicted under the distribution provisions of the Sexual Exploitation Act.⁶⁴

3. The Child Protection Act of 1984

In *New York v. Ferber*, the Supreme Court held that "[t]he prevention of sexual exploitation and abuse of children constitutes a government objective of surpassing importance."⁶⁵ After that decision, political pressure to expand the federal role in

⁵⁵ 18 U.S.C. § 2252(a)(2) (1978).

⁵⁶ 18 U.S.C. § 2253(1)(D) (1978).

⁵⁷ In *New York v. Ferber*, 458 U.S. 747 (1982), the Supreme Court squarely upheld the New York statute, N.Y. PENAL LAW § 263.15 (McKinney 1980), prohibiting the production or distribution of sexually explicit visual depictions of children, whether or not the depictions were legally "obscene" under *Miller v. California*, 413 U.S. 15 (1973).

⁵⁸ 18 U.S.C. § 1461 (1984), based on the Comstock Act, ch. 258, 17 Stat. 598 (1873).

⁵⁹ 18 U.S.C. § 1462 (1984).

⁶⁰ 18 U.S.C. § 1464 (1984).

⁶¹ 18 U.S.C. § 1465 (1984).

⁶² Thus, under 18 U.S.C. § 1461 (1984), the penalty for mailing obscene matter is 5 years imprisonment and/or \$5,000, while under the Sexual Exploitation Act of 1977 the penalties were set at 10 years and/or \$10,000. 18 U.S.C. § 2251(c) (1978).

⁶³ See 1982 Senate Hearing, *supra* note 51, at 47 (statement of Charles P. Nelson).

⁶⁴ H.R. REP. NO. 98-536, 98th Cong., 1st Sess. 2 (1983), reprinted in 1984 U.S. CODE CONG. & AD. NEWS 492, 493. Only 4 people had been indicted under the production provisions. *Id.*

⁶⁵ 458 U.S. 747, 757 (1982).

protecting children from pornographers rose dramatically.⁶⁶ Congress responded by passing the Child Protection Act of 1984.⁶⁷ That Act rewrote the Sexual Exploitation Act and filled in its most egregious gaps by eliminating the obscenity requirement,⁶⁸ and deleting the "for pecuniary profit" and "for the purpose of sale" language.⁶⁹ The Child Protection Act also raised the age limit for children protected from depiction in pornography from sixteen to eighteen,⁷⁰ thus ending the inconsistency with juvenile prostitution provisions.

In addition to remedying the problems of the Sexual Exploitation Act, the Child Protection Act added several new provisions. The Act criminalized the reproduction of child pornography for distribution in interstate or foreign commerce,⁷¹ and added sexual exploitation of minors to the list of offenses subject to federal investigation through court-approved wiretapping.⁷² Furthermore, the Act included comprehensive criminal and civil forfeiture provisions which could be used to confiscate perpetrators' instruments used in, and profits derived from, sexual exploitation of minors.⁷³

In contrast to the Sexual Exploitation Act, the Child Protection Act added crucial weapons to the arsenal of law enforcement

⁶⁶ See H.R. REP. NO. 98-536, *supra* note 64, at 493. For example, after an article containing photographs of faces of children used in pornography encouraged readers to write to their representatives to urge the passage of a more rigorous anti-child pornography law, 80,000 letters were sent to members of Congress. See *Innocence for Sale: Follow-up Report*, LADIES HOME J., August, 1983, at 42 (discussing Rooney, *Innocence for Sale: A Special Report on Child Pornography*, LADIES HOME J. April, 1983, at 79).

⁶⁷ Pub. L. No. 98-292, § 3, 98 Stat. 204 (1984) (codified at 18 U.S.C. §§ 2251-2255 (1984)) (amending 18 U.S.C. §§ 2251-2253 (1978)). For an excellent analysis of this act and its importance for law enforcement, see Note, *Child Protection Act of 1984—Enforceable Legislation to Prevent Sexual Abuse of Children*, 10 OKLA. CITY U.L.R. 121 (1985).

⁶⁸ Pub. L. No. 98-292, § 4(3), 92 Stat. 204 (1984) (amending 18 U.S.C. § 2252 (1978)). Three subsidiary changes accompanied this one. First, the reach of the law was narrowed to include only "visual depictions" rather than any "visual or print medium," thus blunting possible first amendment problems in banning works wholly in writing. 18 U.S.C. §§ 2251-2255. Cf. *New York v. Ferber*, 458 U.S. at 364-65 (discussing possible first amendment problems). Second, the phrase "lewd exhibition of the genitals" in the definition of "sexually explicit conduct" was changed by substituting "lascivious" for "lewd." 18 U.S.C. § 2255(2)(E) (1984). Third, the qualification that sado-masochistic abuse was only prohibited if done for the purposes of sexual stimulation was removed. 18 U.S.C. § 2255(2)(D) (1984).

⁶⁹ Pub. L. No. 98-292, §§ 4(2), 5(a)(5) (amending 18 U.S.C. § 2252 (1978)).

⁷⁰ Pub. L. No. 98-292, § 5(a)(1) (amending 18 U.S.C. § 2253 (1978)).

⁷¹ Pub. L. No. 98-292, § 4(7) (amending 18 U.S.C. § 2252 (1978)).

⁷² Pub. L. No. 98-292, § 8 (amending 18 U.S.C. 2516(1)(c) (1970)) (codified at 18 U.S.C. 2516(1)(c) (Supp. 1985)).

⁷³ Pub. L. No. 98-292, § 6 (amending 18 U.S.C. § 2252 (1978)).

officials. During the first eight months the Child Protection Act was in effect, the Justice Department reported nearly as many child pornography indictments as it had reported during the preceding seven years.⁷⁴

4. Racketeer Influenced and Corrupt Organizations Act

The Racketeer Influenced and Corrupt Organizations Act⁷⁵ (RICO) provides an additional means of prosecuting organized juvenile prostitution. RICO's most prominent provisions impose criminal sanctions⁷⁶ for participation in an "enterprise"⁷⁷ which "affects" interstate commerce⁷⁸ and which involves or is predicated upon a "pattern"⁷⁹ of "racketeering activity"⁸⁰ involving specified crimes. The provisions of the Mann Act,⁸¹ most significantly the proscription of the transportation of minors for use in prostitution or "prohibited sexual conduct,"⁸² are among the federal crimes included in RICO.⁸³

⁷⁴ *Child Pornography and Pedophilia: Hearing Before the Permanent Subcomm. on Investigations of the Senate Comm. on Governmental Affairs, 99th Cong., 1st Sess. 103-04 (1985)* (statement of Victoria Toensing, Dep't Asst. Att'y General, Criminal Div.) (63 of 132 defendants indicted from 1978 to 1985 were indicted after May 21, 1984, effective date of Child Protection Act). In December of 1985, six men were arrested after they were indicted by a federal grand jury on charges of violating the Child Protection Act of 1984 by mailing or receiving child pornography. Charged with counts of receiving magazines displaying children engaging in sexually explicit acts, they face a maximum possible sentence of 20 years of imprisonment and fines up to \$500,000. Many of the children in the pornographic materials were between eight and ten years old and some were even younger. *New York Times*, December 10, 1985, at A29, col. 1.

⁷⁵ 18 U.S.C. §§ 1961-1968 (1984).

⁷⁶ 20 years imprisonment, \$25,000 fine and/or forfeiture of defined property. 18 U.S.C. § 1963(a) (1984).

⁷⁷ An "enterprise can include any legal or illegal organization." 18 U.S.C. § 1961(4) (1984).

⁷⁸ 18 U.S.C. § 1962(b) (1984).

⁷⁹ "Pattern" means the showing of a "continuity plus relationship" of the acts. *See Sedima, S.P.L.R. v. Lurex Co., Inc.*, 105 S. Ct. 3275, 3285 n.14 (1985) (citing *S. Rep. No. 91-617* (1969)).

⁸⁰ "Racketeering activity" is defined as any act or threat involving certain specified state crimes, or any act indictable under certain sections of the United States Code, or any act involving bankruptcy fraud, fraud in the sale of securities, or specified drug offenses, or any of certain specified federal crimes including bribery, embezzlement, extortion, or obstruction of justice. 18 U.S.C. § 1961(1) (1984).

⁸¹ Ch. 395, 36 Stat. 825 (1910) (codified as amended at 18 U.S.C. §§ 2421-2424 (1970 and Supp. 1985)).

⁸² 18 U.S.C. § 2423 (Supp. 1985).

⁸³ 18 U.S.C. § 1961(1) (1984). It should be noted, however, that the interstate transportation of child pornography is not a predicate offense under RICO.

While in theory RICO provides federal prosecutors with an additional weapon against interstate prostitution rings involving minors, in practice the value of RICO appears to be extremely limited. Unlike the complex "enterprise" common to RICO prosecutions,⁸⁴ juvenile prostitution typically operates as a sole proprietorship without external financing.⁸⁵ A single pimp, rather than an organization, generally controls one or several girls. For this reason, prosecutions for "promoting" juvenile prostitution under the Mann Act will usually be just as effective as those under RICO.⁸⁶

B. Current Preventive and Remedial Statutes

1. The Runaway and Homeless Youth Act

While the statutes discussed above allow the criminal prosecution of those involved in child prostitution or pornography, the problem of child sexual abuse also requires measures to prevent such abuse and provide aid to those children already victimized.⁸⁷ Since homeless and runaway children are the single population

⁸⁴ RICO prosecutions frequently involve the corruption of large scale enterprises such as labor unions. See, e.g., "On the Waterfront": RICO and Labor Racketeering, 17 AM. CRIM. L. REV. 341 (1980).

⁸⁵ See, e.g., BADGLEY REPORT, *supra* note 6, at 1058 (Canadian survey shows female juvenile prostitutes are "seldom controlled by large-scale highly organized prostitution rings Generally, a pimp either worked with one girl (38.2%) or had a small number of girls in his employ (52.7%)."). In contrast, child pornography is often produced in well-organized multi-perpetrator "sex rings." See Belanger, *supra* note 39 at 51, 74 (30.9% of child sex rings studied were "syndicated," involving a "well-structured organization" for recruiting children and producing child pornography.).

⁸⁶ One exception to this rule might occur with respect to syndicated child sex rings, where young children are placed into prostitution by older persons misusing their roles in legitimate organizations such as schools or youth groups to obtain access to children. As long as the organization's activities can be shown to affect interstate commerce, and the employee misuses the organization for purposes of promoting juvenile prostitution, the requisite nexus of the defendant's activities to an "enterprise" would seem to be present, thus permitting prosecution under RICO. See 18 U.S.C. § 1962(c) (1984).

⁸⁷ Federal prosecutors, however aggressive, will never reach the scene of sexual exploitation until after the exploitation has occurred. At that point, the victim's family and society may benefit from law enforcement zeal, but the victim usually will not. The prosecution of one's sexual exploiters presents a no-win situation for the child victim. Not only may acquittal be accompanied by a profound sense of guilt for having provided insufficient evidence, but a successful conviction may provoke extreme feelings of guilt for having betrayed one's intimate companions. See Schoettle, *Child Exploitation: A Study of Child Pornography*, 19 J. AM. ACAD. CHILD PSYCHIATRY 289, 297 (1980).

group at highest risk of sexual exploitation by prostitution,⁸⁸ programs aiding those children may be one of the best lines of defense against commercial child sexual abuse.

No federal statute is of more theoretical importance to these needs for direct aid and prevention than the Runaway and Homeless Youth Act.⁸⁹ The centerpiece of this Act is the establishment of "runaway houses" throughout the country to shelter runaway and homeless youths and provide crisis intervention services. Under the Act's aegis, the federal government, in fiscal year 1985, spent \$23.25 million to fund, in part, 274 runaway and homeless youth programs, a national runaway hotline, a dozen coordinated networks of runaway programs, and research and demonstration projects focused on strengthening youth centers and their capability to address increasing numbers of homeless and runaway youths.⁹⁰ In 1984, an estimated 60,500 youths used the programs' shelter services, while 305,500 received non-shelter services and 250,000 called the hotline.⁹¹ Of youths taken into residence, only seven percent "returned to the streets"; the rest were placed in "positive living arrangements" or returned home.⁹²

⁸⁸ See, e.g., BADGLEY REPORT, *supra* note 6, at 982 (in Canadian survey almost a third of male and female adolescent prostitutes had relied on prostitution for money when they ran away); ENABLERS, INC., JUVENILE PROSTITUTION IN MINNESOTA 23-24, 37, 52 (1978) (two-thirds of female teenage prostitutes were runaways just before or at the time they started prostitution); S. HARLAN, L. RODGERS & B. SLATTERY, MALE AND FEMALE ADOLESCENT PROSTITUTION: HUCKLEBERRY HOUSE SEXUAL MINORITY YOUTH SERVICES PROJECT 27-34 (1981) (75% of female adolescent prostitutes who had contacted Huckleberry House, a shelter for youths in San Francisco, first started prostituting when they were runaways in need of money) (hereinafter cited as HUCKLEBERRY HOUSE PROJECT); NEW YORK CITY HUMAN RES. ADMIN., JUVENILE PROSTITUTION: A SUGGESTED PROGRAM RESPONSE 5 (1983) (at second largest such program in New York, 30% of runaway adolescents acknowledged involvement in prostitution); Silbert & Pines, *supra* note 5, at 485 (96% of juvenile prostitutes surveyed were runaways).

Similarly, surveys of runaway and homeless youths show that a substantial percentage turn to pornography for survival. See Rabun, *Combating Child Pornography and Prostitution: One County's Approach*, in CHILD SEX RINGS, *supra* note 10, at 187-200 (36% of runaways admitted involvement in prostitution and 15% acknowledged involvement in pornography).

⁸⁹ 42 U.S.C. §§ 5701, 5702, 5711-5716, 5731, 5732, 5751 (1983 & Supp. 1985). For a description of how the sex-murders of 27 teenage boys in Houston in 1973 by Dean Corli and his companions led to the passage of the Runaway Youth Act, see K. WOODEN, WEEPING IN THE PLAYTIME OF OTHERS 80, 89-90 (1976).

⁹⁰ 1985 Oversight Hearing, *supra* note 1, at 14-15 (statement of Dodie Livingston, Comm'r, Admin. for Children, Youth and Families, Dept. H.H.S.). Federal funds are allocated according to the youth population of each state. *Id.* at 14.

⁹¹ *Id.* at 15.

⁹² *Id.* at 15.

Although these results are encouraging, other evidence reveals that the Act's programs have reached only a tiny fraction of youths likely to be forced into juvenile prostitution: of all homeless and runaway youths, no more than six percent received shelter in federally funded programs.⁹³ Indeed, at least 10,000 youths, and probably as many as twice that number, were turned away in 1985 from runaway programs because the shelters lacked space or were considered inappropriate for the youths' needs.⁹⁴

Two provisions of the Act limit the ability of these programs to reach greater numbers of homeless and runaway youths. First, in order to create a family-like environment, the Act places a twenty-bed limitation on the capacity of every funded house.⁹⁵ Although the Act's intent to provide small, rather than large, runaway houses is appealing, this limitation, in combination with current levels of funding,⁹⁶ virtually guarantees that thousands of

⁹³ Compare *id.* at 15 (60,500 youths sheltered) with OFFICE OF INSPECTOR GENERAL, DEPT. OF HEALTH AND HUMAN SERVICES, RUNAWAY & HOMELESS YOUTH: NATIONAL PROGRAM INSPECTION 4-5 (1983) (number of runaway and homeless youth estimated at 1.1 million annually) (hereinafter cited as NATIONAL RUNAWAY INSPECTION). See *Oversight Hearing On Runaway and Homeless Youth Programs: Hearing Before The Subcomm. on Human Resources of the House Comm. on Education and Labor*, 97th Cong., 2d Sess. 3 (1982) (statement of Eleanor Chelmsky, Director of Institute for Program Evaluation at U.S. General Accounting Office) (hereinafter cited as 1982 *Oversight Hearing*) ("the program is thus a small effort, involving only a tiny fraction of the Nation's youth and only 3 to 6 percent of the Nation's runaways.").

⁹⁴ NAT'L NETWORK OF RUNAWAY AND YOUTH SERVICES, TO WHOM DO THEY BELONG? A PROFILE OF AMERICA'S RUNAWAY AND HOMELESS YOUTH AND THE PROGRAMS THAT HELP THEM 11 (1985) (hereinafter cited as NATIONAL NETWORK STUDY). See generally NATIONAL RUNAWAY INSPECTION, *supra* note 93, at 11-12 (discussing how different shelters serve "first-runners" while others serve "street kids").

⁹⁵ 42 U.S.C. § 5712(b)(2) (1978).

⁹⁶ Unfortunately the federal government currently authorizes only \$23.25 million annually to programs under the Act. See 1985 *Oversight Hearing*, *supra* note 1, at 15 (statement of Dodie Livingston). This is merely an 11.6% increase in constant dollars over the authorization level in 1974 of \$10 million. Only 78% (\$18.1 million) of the current appropriations are actually spent on funding shelters, see 1985 *Oversight Hearing*, *supra* note 1, at 15, which means that in constant dollars, federal funding for shelter care has in fact declined 4% since 1978 (when it was \$11 million).

Runaway and homeless youth funding is not exempt under budget cuts mandated by the Public Debt Limit—Balanced Budget and Emergency Deficit Control Act of 1985 (Gramm-Rudman). Pub. L. No. 99-177, 99 Stat. 1037-1101 (1985).

Furthermore, the Act contains no requirement or incentive for state or local governments to commit resources of their own to establishing resources for homeless children and runaways. See 1985 *Oversight Hearing*, *supra* note 1 at 52-53 (statement of Dick Moran, Exec. Dir. Miami Bridge, Miami, Fla.). The average runaway shelter, however, usually is able to attract funding from the private and voluntary sectors as well as from state and local governments; thus, in 1981, federal funding comprised only about one-third of the average program's budget. See 1982 *Oversight Hearing*, *supra* note 93 at 25,

runaway children will remain on the streets.⁹⁷ Furthermore, current regulations under the Act limit an individual's stay in a shelter to a maximum of fifteen days.⁹⁸ The fifteen-day limit results in many homeless teenagers being returned to the street with no alternatives but crime or prostitution.⁹⁹ Such a limit also restricts the abilities of individual programs to explore program formats which require longer-term stays.¹⁰⁰

The fifteen-day limit not only impedes the Act's ability to prevent sexual exploitation, it also partly accounts for the federal runaway program's inability to provide substantial resources for teenagers already involved in prostitution or pornography. These youths need longer-term shelter and counselling, along with vocational, educational, medical and legal services;¹⁰¹ fifteen days is simply not sufficient to meet their substantial needs.

Furthermore, because of their location, the shelter programs often fail to meet even the crisis needs¹⁰² of youths involved in prostitution and pornography. While these youths require shelters

30 (statement of Clarence Hodges, Comm'r, Admin. for Children, Youth, and Families); *Problems of Runaway Youth, Hearing Before the Subcomm. on Juvenile Justice of the Senate Comm. on the Judiciary*, 97th Cong., 2d Sess. 77 (1982) (statement of Sister Barbara Whelan) (1981 income of Bridge Over Troubled Waters, a Boston runaway program, consisted of 20% federal funding; 30% state funding; 26% United Way and local organizations; 24% foundations, corporations, trusts and individuals) (hereinafter cited as *Runaway Youth Hearing*).

⁹⁷ For example, the metropolitan area of Los Angeles has only four federally funded programs. See FAMILY AND YOUTH SERVICES BUREAU, ADMIN. FOR CHILDREN, YOUTH AND FAMILIES, U.S. DEPT. OF HEALTH AND HUMAN SERVICES, *RUNAWAY AND HOMELESS YOUTH, FY 1984 ANNUAL REPORT TO CONGRESS App. A* (1984) (hereinafter cited as 1984 RUNAWAY REPORT). Of "the thousands of teenage runaways (who) pour into Los Angeles each year . . . [t]he vast majority end up on the streets. They have no money, no employable skills and no place to go. They are naive, desperate, and easy prey—prey to the pimps, the 'chicken hawks,' the whole underground of exploitation, rape, physical violence, prostitution, and a dead end." Lee, *supra* note 3, at 93.

⁹⁸ 45 C.F.R. § 1351.1(p) (1982).

⁹⁹ A study by the General Accounting Office in 1982 found that only a few runaway shelters provided the longer term shelter care that homeless youths (as opposed to runaways with families to whom they can return) require; most shelters provided 15 days or less. 1982 *Oversight Hearing*, *supra* note 93, at 7 (statement of Eleanor Chelimsky, Dir. Inst. for Program Evaluation, G.A.O.). To circumvent the 15-day limit, shelter directors are forced to play the game they term "shelter ping-pong," "shelter drift," or the "shelter circuit." NATIONAL RUNAWAY INSPECTION, *supra* note 93, at 11.

¹⁰⁰ Nevertheless, some programs currently allow youths to stay beyond the 15-day limit in defiance of the regulations. See 1982 *Oversight Hearing*, *supra* note 93, at 7 (statement of Eleanor Chelimsky).

¹⁰¹ D. WEISBERG, *supra* note 6 at 244-47.

¹⁰² *Id.* at 243. ("These crises range from emotional distress and depression to drug overdoses, criminal arrest, and the murder of a friend.").

near areas where the abuse occurs,¹⁰³ federally funded runaway shelters are rarely located near such "combat zones."¹⁰⁴ Technically, the Act requires each runaway shelter to be "located in an area which is demonstrably frequented by or easily reachable by runaway youth";¹⁰⁵ a recent survey of service providers in the federal runaway system, however, revealed overwhelming hostility to such sites, based on fears of danger to staff and residents, as well as concern about the lures of street life.¹⁰⁶ Even if shelters were better located, however, some youths still would be inhibited from using them because of the close ties between shelters and the juvenile justice and social service systems¹⁰⁷—systems from which many youths have fled.¹⁰⁸

2. The Missing Children's Assistance Act and the Missing Children Act

Since runaway and other missing children are vulnerable to abuse by prostitution and pornography,¹⁰⁹ federal statutes that aid the search for missing children play an important role in preventing and remedying sexual exploitation. In 1984, the Missing Children's Assistance Act¹¹⁰ created the National Center for Missing and Exploited Children, which established a national toll-free hotline for exchange of information concerning missing children. The Center also operates a national resource center to provide information and technical assistance regarding missing

¹⁰³ *Id.* at 239-40, 243. *Contra* NATIONAL RUNAWAY INSPECTION, *supra* note 93, at 12 (discussing the controversy as to whether urban shelters should be located in combat zones where street kids congregate or in safer parts of the city).

¹⁰⁴ In the Boston metropolitan area, only one runaway program receiving federal funding in fiscal year 1984—the Bridge Over Troubled Waters—was located in the downtown area. 1984 RUNAWAY REPORT, *supra* note 97.

¹⁰⁵ 42 U.S.C. § 5712(b)(1).

¹⁰⁶ NATIONAL RUNAWAY INSPECTION, *supra* note 93, at 12.

¹⁰⁷ See ENABLERS, INC., *supra* note 88, at 49-50; NATIONAL NETWORK STUDY, *supra* note 94, at 11; D. WEISBERG, *supra* note 6, at 239-40; 1982 Oversight Hearing, *supra* note 93, at 6.

¹⁰⁸ See HUCKLEBERRY HOUSE PROJECT, *supra* note 88, at 27, 29 (21% of male runaways who came to Huckleberry House had run away from group homes and 50% of females had "run" from foster, group or relatives' homes, institutions, and juvenile justice facilities).

¹⁰⁹ See *supra* note 88.

¹¹⁰ 42 U.S.C. §§ 5771-5777 (Supp. 1985).

and exploited children.¹¹¹ In addition, the Missing Children's Assistance Act requires the Office of Juvenile Justice and Delinquency Prevention to conduct periodic national studies to establish the incidence of reported disappearances, abductions, and recoveries of children.¹¹²

In addition to those services provided under the Missing Children's Assistance Act, the Missing Children Act¹¹³ permits the Federal Bureau of Investigation's National Crime Information Center to accept entries¹¹⁴ regarding "missing persons"¹¹⁵ from parents, guardians, and next of kin, whenever local law enforcement officials fail or refuse to make an entry for a missing child.¹¹⁶ Although missing children who have parents actively searching for them may not be those most vulnerable to prostitution or pornography, the Missing Children Act does help insure that parents can exert pressure on authorities to search for lost children, exploited or not.

II. AGENDA FOR CHANGE

The continued prevalence of prostitution and pornography,¹¹⁷ and the devastating effects of such exploitation on children are

¹¹¹ For a description of the goals of the National Center for Missing and Exploited Children, see Howell, *Behind the Tragedy There's Hope, in the New National Center for Missing and Exploited Children*, 39 *PATHOLOGIST* 58 (1985).

¹¹² 42 U.S.C. § 5773(b) (Supp. 1985).

¹¹³ 28 U.S.C. § 534 (Supp. 1985).

¹¹⁴ 28 U.S.C. § 534(a)(3) (Supp. 1985). The National Crime Information Center (NCIC) is authorized to collect information that would be useful in locating missing children.

¹¹⁵ "Missing persons" includes any "unemancipated person." 28 U.S.C. § 534(a)(3) (Supp. 1985).

¹¹⁶ 28 U.S.C. § 534(a)(3) (Supp. 1985). Although the NCIC had long collected names and other relevant information regarding missing persons, access to that clearing house (either to give or receive information) was restricted to federal, state and local law enforcement personnel until 1982. The new law also affords parents, guardians, and next of kin the right to confirm that an entry into the computer was actually made. *Id.*

¹¹⁷ See U.S. GENERAL ACCOUNTING OFFICE, *SEXUAL EXPLOITATION OF CHILDREN—A PROBLEM OF UNKNOWN MAGNITUDE*, REPORT TO CHMN., SUBCOMM. ON SELECT EDUCATION, HOUSE COMM. ON EDUCATION AND LABOR 5-7 (1982). See *supra* notes 5 and 8.

clear.¹¹⁸ The importance of a *federal* role in the area seems equally unquestioned: the traffic in children knows neither state nor national boundaries.¹¹⁹ Although Congress has several times in recent history addressed the issue of sexual exploitation of children, existing legislation is not commensurate with the severity of the problem.

This section proposes statutory and programmatic reforms aimed at increasing the effectiveness of criminal law enforcement against perpetrators of commercial sexual exploitation, strengthening direct programs to help children avoid or escape sexual abuse, and improving the ability of victims to win compensation from those who injured them. In view of the budgetary and political pressures Congress faces, these proposed reforms are limited to improving existing legislative schemes rather than creating entirely new statutory frameworks.

A. Criminal Statutes

1. Inclusion of Child Pornography in RICO

Although transporting minors for the purpose of prostitution or other "prohibited sexual conduct" is included among the substantive offenses cognizable by RICO,¹²⁰ the federal statutes pro-

¹¹⁸ See BADGLEY REPORT, *supra* note 6, at 1045 ("The ingrained pattern of exploitation, disease, and violence in the daily lives of juvenile prostitutes is unmistakable from the Committee's research findings."); Schoettle, *supra* note 87, at 296-97 (involvement in child pornography may lead to "psychic trauma" and "[i]nvasive acute anxiety"). See also Ferber, 458 U.S. at 758, n.9 ("It has been found that sexually exploited children are unable to develop healthy affectionate relationships in later life, have sexual dysfunctions, and have a tendency to become sexual abusers as adults.").

¹¹⁹ See *Child Porn & Pedophilia: Hearings Before the Perm. Subcomm. on Investigations of the Senate Comm. on Gov'tal Affairs*, 98th Cong., 2d Sess. 17, 23 (1984) (testimony of John Kelly).

International exploitation of children recently has been documented in the work of investigators commissioned by UNICEF. These investigators found evidence of "child sex package tours" offered to Japanese, European, and American men for travel to Asian destinations for the purpose of engaging in sex with local child prostitutes. One of their sources indicated that at least 2,000 male children are engaged in prostitution in Colombo, Sri Lanka. *Id.* at 23 (testimony of Kenneth J. Herrmann, Jr. Defence for Children International, USA). See also *id.* at 17 (testimony of John Kelly, Deputy Asst. Sec. of State for European Affairs, Dept. of State) ("child pornography is a worldwide problem" and "there is still a large amount of such material exported from the Netherlands and Denmark to the United States.").

¹²⁰ 18 U.S.C. § 1961(i) (1970).

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hibiting production or distribution of child pornography in interstate commerce are not. Since child pornographers frequently misuse their roles in legitimate youth organizations to obtain access to children,¹²¹ child pornography offenses are particularly appropriate for prosecution under RICO, which was designed to prevent criminal enterprises from infiltrating legitimate organizations.¹²²

Congress seems likely to rectify this omission in the near future. Several bills currently under consideration propose bringing the child pornography statutes under RICO,¹²³ and the Senate Subcommittee on Juvenile Justice has held a hearing to consider one of them.¹²⁴ Furthermore, the fact that the last Congress brought federal obscenity prohibitions within RICO¹²⁵ suggests that Congress may be willing to make further additions to the list of predicate offenses.¹²⁶ The relatively small step of amending RICO to include child pornography offenses would vastly increase prosecutorial ability to pursue the organized "kiddie porn" rings that typify the industry.

¹²¹ See Belanger, *supra* note 39, at 74-75 (38.2% of child pornographers involved with sex rings had access to children by means of their occupations); O'BRIEN, *supra* note 5, at 13-14, 79-81 (1983). See also *Sexual Exploitation of Children: Hearings before the House Subcomm. on Crime of the Comm. on the Judiciary*, 93rd Cong., 1st Sess. 74-75 (1977) (statement of Robert F. Leonard) (child pornography thrives on the misuse of respectable roles within legitimate organizations providing service to children; the roster of "kiddie porn" purveyors includes scoutmasters, probation officers, summer camp operators, ministers and priests).

For descriptions of some recently uncovered child pornography rings see *The Mother of Kiddie Porn*, NEWSWEEK, January 23, 1984, at 70 (an alleged \$500,000 per year mail-order business in child pornography); *Officials Say Florida Inmate Ran Child Porn Ring*, St. Petersburg Times, July 22, 1983, at 1 (international child pornography ring allegedly operated from a Florida state prison); *United States v. Langford*, 688 F.2d 1088, 1097 (7th Cir. 1982).

In addition, because child pornography is often produced in "syndicated" sex rings, it may be appropriate for inclusion in RICO. See *supra* note 83.

¹²² See S. REP. NO. 91-617, 91st Cong., 1st Sess. (1969), cited in Tarlow, *The New Darling of the Prosecutor's Nursery*, 49 FORDHAM L. REV. 194 n.154 (1980).

¹²³ Several bills currently before Congress include child pornography as a predicate offense within the meaning of RICO: S. 625, 99th Cong., 1st Sess. (1985) (sponsored by Sen. Hawkins); S. 985, 99th Cong., 1st Sess. (1985) (Sen. Grassley); H.R. 2539, 97th Cong., 1st Sess. (1982) (Rep. McCain).

¹²⁴ *Hearing on Child Abuse Victims Rights Act of 1985: Hearings before the Subcomm. on Juvenile Justice of the Senate Comm. on the Judiciary*, 98th Cong., 2d Sess. 1 (1985).

¹²⁵ Comprehensive Crime Control Act of 1984, Pub. L. No. 98-673, § 1020, 98 Stat. 2143 (adding §§ 1461-1465 to the RICO predicate offense list in 18 U.S.C. § 1961).

¹²⁶ Nonetheless, the expansion of RICO has been criticized. See Quinn & Bograd, *RICO is Backfiring*, 14 BRIEF 19 (Summer, 1985). Such criticism, however, is not directed at the inclusion of child pornography within RICO.

2. Age Limit of Protection

The Child Protection Act remedied a serious anomaly of the Sexual Exploitation Act by raising the age limit of children protected by its pornography provisions from sixteen to eighteen, the same age limit used in its prostitution provisions.¹²⁷ It is not clear, however, that even eighteen should be the appropriate age limit under the Child Protection Act and the Mann Act. Although eighteen-year-olds can vote¹²⁸ and be drafted,¹²⁹ a number of federal and state laws in a variety of contexts continue to use twenty-one as the age of majority. Recent federal statutes require states to raise the drinking age to twenty-one in order to continue to receive federal highway funding,¹³⁰ and federal laws use twenty-one rather than eighteen as the legal age of adulthood for Medicaid¹³¹ and criminal punishment.¹³² State laws and courts often use twenty-one as the age until which parents,¹³³ public schools¹³⁴ and prisons¹³⁵ are obligated to provide specific services for children.¹³⁶ The Supreme Court has implied that there are no constitutional barriers to using twenty-one as the age for entry into adulthood.¹³⁷

The risks attending prostitution, whether on the street or in a pornographic movie studio,¹³⁸ merit raising to twenty-one the age

¹²⁷ Pub. L. No. 98-292, § 5(a)(1) (amending 18 U.S.C. § 2253 (1978)).

¹²⁸ U.S. CONST. amend. XXVI.

¹²⁹ 50 U.S.C. § 466 (1971).

¹³⁰ 23 U.S.C. § 158(d) (1984).

¹³¹ 42 U.S.C. § 1396a(a)(17)(D) (1982) (requiring parent's income to be considered as resource to child until age 21).

¹³² 18 U.S.C. § 3575(a) (1970) (youths under 21 excluded from increased sentences for "dangerous special offenders").

¹³³ See, e.g., N.J. DOMESTIC RELATIONS LAW, § 32. (Consol. 1979) (parents liable for support of children under 21).

¹³⁴ See, e.g., N.J. EDUCATION LAW, § 3207. (Consol. 1985) (person under 21 who has not received a high school diploma is entitled to attend public school without paying tuition).

¹³⁵ See N.J. CORRECTION LAW, § 71(1)(a)(i) (West Supp. 1986).

¹³⁶ In addition, states with legalized gambling bar persons under 21 from casino gambling. N.J. STAT. ANN. § 9:17 B-1(c) (West Supp. 1985) and NEV. REV. STAT. § 463.350 (1975).

¹³⁷ See *Stanton v. Stanton*, 421 U.S. 7, 12, 16 (1975) (Utah statute mandating parental support until 18 for girls and 21 for boys unconstitutional as violation of equal protection; Court would leave to Utah the decision whether to use 18 or 21 as the line of adulthood for both sexes).

¹³⁸ Paid employment of "models" in making sexually explicit, non-simulated films has been found to be a form of promoting prostitution, unprotected by the First Amendment.

limits of federal statutes¹³⁹ criminalizing the use of minors in commercial sex.¹⁴⁰ Juvenile prostitution is typified by physical and emotional abuse from pimps¹⁴¹ and customers,¹⁴² drug abuse,¹⁴³ and venereal diseases.¹⁴⁴ Half of juvenile girls involved in prostitution become pregnant by age twenty—thirty percent of them more than once.¹⁴⁵ The severity of these harms suggests that producers of commercial sex should not be given the oppor-

United States v. Roeder, 526 F.2d 736 (10th Cir. 1975), *cert. denied*, 462 U.S. 905 (1976); *People v. Fixler*, 56 Cal. App. 3d 321, 128 Cal. Rptr. 363 (1976).

¹³⁹ In addition to protecting youths from the dangers of prostitution, a change in the age limits of the Mann Act and the Child Protection Act from 18 to 21 would dramatically improve the ability of law enforcement officials to enforce these laws. The use of decoys—officers masquerading as prostitutes or customers—is crucial to police enforcement of prostitution laws. C. WINICK & P. KINSIE, *THE LIVELY COMMERCE* 213–17 (1971); *see Lee, supra* note 5, at 299–305. Yet because it would be unconscionable to use youths under age 18 for that purpose, the government is denied that weapon in attacking sexual exploitation of children. *Cf. Use of Youth as Decoy Shocks Kentuckians*, N.Y. Times, Sept. 17, 1984, at B16, col. 1 (documenting the outraged reaction to one actual case of a 16-year-old youth working as a police prostitution decoy). If the age limit under such laws were raised to 21, police would have the discretion to use 19 or 20 year old decoys when necessary.

¹⁴⁰ Such a statutory change can be easily justified, however, only in the context of commercial sex. Once a youth has reached age 18 he or she is free under the law of every state to engage in consensual sexual activity not involving prostitution. For a partial description of current statutory rape laws, see *Michael M. v. Superior Court of Sonoma County*, 450 U.S. 464, 492 n.6 (1981) (Brennan, J., dissenting).

Some would argue that regulations restricting the distribution (but not production) of pornography using 18–21 year old actors should include an affirmative defense for works with serious literary, artistic, political or scientific value. Compare Justice Brennan's concurring opinion in *Ferber*, 458 U.S. at 776 (such a defense necessary even for pornography using young children) with Justice O'Connor's concurring opinion in that same case, 458 U.S. at 774–75 (such a defense not necessary because unrelated to purpose of protecting performers).

¹⁴¹ *See D. BRACEY, BABY PROS: PRELIMINARY PROFILES OF JUVENILE PROSTITUTES* 37–39 (physical abuse); *see also Lee, supra* note 5, at 142 (emotional abuse).

¹⁴² *See BADOLEY REPORT, supra* note 6, at 1027 (60% of girls and 21% of boys assaulted by tricks; 63% of all in sample had at least once been physically assaulted by tricks, pimps, other prostitutes, drug dealers or police while working the street); *ENABLERS, INC., supra* note 88 at 77 (53% abused or beaten by a customer); *Silbert & Pines, Victimization of Street Prostitutes*, 7 VICTIMOLOGY 122, 127 (1982) (65% of street prostitutes reported being physically abused or beaten by customers an average of 4.3 times).

¹⁴³ *See BADOLEY REPORT, supra* note 6, at 1022 (many Canadian juvenile prostitutes increased their use of illegal drugs as they became more deeply involved in "the life" on the street); P. GOLDSTEIN, *PROSTITUTION AND DRUGS* 66 (1979) (84% of street prostitutes in New York City survey were heroin addicts).

In addition, prostitutes will likely experience "psychological paralysis," a feeling that they have lost all sense of control over their lives. *Silbert & Pines, supra* note 142, at 131. Victims of child pornography also experience psychic trauma and role confusion. *See Schoettle, supra* note 87, at 96–97.

¹⁴⁴ *BADOLEY REPORT, supra* note 6, at 1024 (majority of Canadian juvenile prostitutes contracted sexually transmitted diseases).

¹⁴⁵ *ENABLERS, INC., supra* note 88, at 87.

tunity to employ youths under age twenty-one even if the youths "consent." With unemployment rates among young adults at staggering levels,¹⁴⁶ many are not in the position to make a fully rational choice about "employment" in prostitution. Such a choice should not even be presented to them.

B. Prevention and Relief Statutes

Most of the recent Congressional attention to the problem of child sexual abuse has focused on strengthening criminal sanctions, particularly those applicable to production and distribution of child pornography. Yet criminal prosecutions in and of themselves provide no relief to victims of sexual exploitation,¹⁴⁷ and criminal prohibitions do not address the social and economic factors—above all those causing the annual flight or exile of tens of thousands of children to a precarious life on urban streets—that make the young vulnerable to sexual exploitation.¹⁴⁸ No government action against sexual exploitation, however well conceived and enforced, will succeed without providing clear alternatives for youths already exploited and those likely to become exploited. Consideration of possible changes in federal criminal statutes, therefore, should be accompanied by legislative initiatives designed to provide the help to those children already victimized and protection for children at risk of falling into prostitution or pornography.¹⁴⁹

¹⁴⁶ In 1983, 23.3% of all male youths and 21.3% of all female youths in the labor force aged 16 to 19 were unemployed. U.S. DEPT. OF COMMERCE, STATISTICAL ABSTRACT OF THE UNITED STATES 394 (1983).

¹⁴⁷ See *supra* note 87.

¹⁴⁸ See *supra* note 88.

¹⁴⁹ Because of increased demands for austerity in federal budget, advocates for additional expenditures for children's programs must explain where they expect Congress to find the money. One possible solution is the creation of a federal Children's Tax, with proceeds irrevocably reserved to fund children's services. The idea is similar to the designation of taxes on employees and employers under the Federal Insurance Contributions Act (26 U.S.C. §§ 3101, 3111 (1979 and Supp. 1985)) for sole use by the Social Security system. See 42 U.S.C. §§ 401(a), 401(b) (1983) (earmarking employment taxes for the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund).

Several states have already begun the momentum toward this revenue reform by establishing special taxes to fund efforts against child abuse and neglect. See, e.g., CALIF. HEALTH AND SAFETY CODE § 10605(b) (West Supp. 1986); CALIF. WELFARE AND INST. CODE, § 18966 (West Supp. 1986) (tax on birth certificates used for Children's Trust

1. Increased Assistance to Runaway and Homeless Youth

Current federal programs are reaching few of the youths trapped on the street by homelessness or broken family ties.¹⁵⁰ The two most critical aspects of assistance to those youths are crisis intervention and long-range services,¹⁵¹ both of which require shelters.¹⁵² The most obvious route to establishing such a combination of emergency and ongoing help is through the federal Runaway and Homeless Youth Act.¹⁵³ The shelter network established under that Act could be substantially expanded, first, by the addition of outreach and "open intake" crisis shelters in areas frequented by street youth,¹⁵⁴ and second, by longer-term programs, modeled on existing programs specializing in rehabilitation of young prostitutes.¹⁵⁵ Statutory and regulatory limits on capacity¹⁵⁶ and duration-of-stay¹⁵⁷ would have to be adjusted to accommodate this continuum of services. In order not to jeopardize the success of existing programs, however, the expansion of services must be accomplished with the understanding that the statutory goal of small, family-like settings must be relinquished only when necessary. Thus, limits on capacity and duration of stay could be abandoned at crisis shelters in areas having both too high a demand for services to be accommodated by the current

Fund); FLA. STAT. ANN. § 741.01(2) (West Supp. 1985) (tax on marriage licenses used to fund domestic violence centers); ILL. REV. STAT., ch. 120, § 5-507 (Supp. 1985) (special income tax check-off used to support Child Abuse Prevention Fund). A dedicated tax for children on the federal level could take many forms, from a small excise tax on luxury hotel expenditures (transient housing for the adult rich funding crisis shelter for homeless young), to dedicated federal taxes on casino gambling, luxury automobiles, or photographic equipment.

¹⁵⁰ See *supra* note 93.

¹⁵¹ See *supra* text accompanying notes 101 and 102.

¹⁵² Although outreach and nonresidential services are available for juvenile prostitutes, see *U. WEISBERG, supra* note 6, at 240-47, these youths are most desperate for food and a safe place to sleep. See HUCKLEBERRY HOUSE PROJECT, *supra* note 88, at 43, 45 (83% of male juvenile prostitutes requested crisis housing—by far the highest service requested).

¹⁵³ 42 U.S.C. §§ 5701, 5702, 5711-5716, 5731, 5732, 5751 (1978) (1983 & Supp. 1983). See *supra* text accompanying notes 89 to 108.

¹⁵⁴ See M. BENJAMIN, JUVENILE PROSTITUTION, A PORTRAIT OF "THE LIFE," MINISTRY OF COMMUNITY AND SOCIAL SERVICES, TORONTO, CANADA 127 (1985); D. WEISBERG, *supra* note 6, at 243. See *supra* text accompanying notes 115 to 120.

¹⁵⁵ See D. WEISBERG, *supra* note 6, at 248-57.

¹⁵⁶ See *supra* text accompanying note 95.

¹⁵⁷ See *supra* text accompanying note 96.

shelter system, and too low a supply of immediate, appropriate social service programs to which youths could be referred.

Such an ambitious system of assistance would necessarily be expensive, at least by the standards of current funding levels.¹⁵⁸ Yet it is important to note that federal funding for runaway and homeless youth programs has actually declined as a percentage of the gross national product since 1974.¹⁵⁹ Even if quadrupled, current expenditures on these programs would still amount to less than ten percent of annual expenditures on public juvenile correctional facilities.¹⁶⁰ An expenditure of one hundred million dollars, which amounts to one hundred dollars per runaway, does not seem an unreasonable target.

2. Strengthening Child Abuse Reporting Requirements

According to recent statistics, approximately sixty percent of female prostitutes and forty-four percent of male prostitutes were sexually abused as children.¹⁶¹ Many prostitutes consider the sexual abuse they suffered during childhood to have significantly influenced their decision to enter "the life."¹⁶² Yet one study showed that only thirty-seven percent of sexually abused children ever told anyone about the abuse.¹⁶³ Furthermore, when a child does attempt to tell her or his parents, the adults frequently either do not believe the child, or blame her or him for the abuse.¹⁶⁴ When suspected child abuse is reported to child protection agen-

¹⁵⁸ See *supra* note 96.

¹⁵⁹ Although federal runaway expenditures increased 11.6% from 1974 to 1984, see *supra* note 96, the gross national product in constant dollars rose 23% from 1974 to 1983. U.S. DEPT. OF COMMERCE, *supra* note 146 at 432, 466 (1985).

¹⁶⁰ The federal government currently authorizes only \$23.25 million annually to runaway and homeless youth programs. See *supra* note 96. In comparison, during 1982, \$1.1 billion were spent simply on operating costs for public institutions for juveniles, with an annual per capita operating cost of \$21,900. U.S. DEPT. OF COMMERCE, *supra* note 146, at 182 (1985).

¹⁶¹ See Silbert & Pines, *Early Sexual Exploitation as an Influence in Prostitution*, SOCIAL WORK, July-Aug. 1983, at 285, 286 (female prostitutes); D. WEISBERG, *supra* note 6, at 48 (male prostitutes).

¹⁶² Silbert & Pines, *supra* note 161, at 288.

¹⁶³ *Id.* at 286.

¹⁶⁴ *Id.* at 287 (12% showed sympathy to the victim; 45% voiced anger toward the abuser; 32% showed hostility toward the victim; 26% responded in disbelief; and 9% were ashamed of the victim).

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cies, however, the agencies must pursue such reports to determine their validity.¹⁶⁵ In addition, these agencies may provide support services which are essential for children to recover from the effects of the abuse and which may help prevent children from becoming involved in prostitution and pornography. Thus, mechanisms for the reporting of child abuse are an integral component of programs to ensure that victims of child sexual abuse receive needed support services.

The federal government has played a significant role in establishing state mandated reporting systems for incidents of child abuse. The Child Abuse Prevention and Treatment and Reform Adoption Act¹⁶⁶ requires that states receiving federal funds for child protective services must establish certain child abuse reporting procedures. The mandated reporting procedures are limited, however, because the Act, on its face, requires the reporting of child abuse only when such abuse is perpetrated by the person who is responsible for the child's welfare.¹⁶⁷ As a result, states have the discretion to exclude from their definition of reportable child abuse children who are used in pornography or prostitution by nonfamily members.¹⁶⁸ Amending the Child Abuse Prevention and Treatment and Adoption Reform Act to include sexual exploitation of children by *anyone* would force all states that receive federal funding to require the reporting of non-familial abuse as well.¹⁶⁹ Such an amendment also would allow researchers and

¹⁶⁵ 42 U.S.C. § 5103(b)(2)(C) (1983).

¹⁶⁶ 42 U.S.C. §§ 5101-5107, 5111-5115 (1983 and Supp. 1985).

¹⁶⁷ *Id.*

¹⁶⁸ Many states define sexual abuse with regard to parental or custodial relationships. See, e.g., ILL. ANNOT. STAT., ch. 23, § 2053 (Supp. 1985); FLA. STAT. ANN. § 415.503 (West Supp. 1985). But see CALIF. PENAL CODE § 11165(b) (West 1982 & Supp. 1986) (defining sexual abuse without regard to parental or custodial relationship).

¹⁶⁹ This is especially important for child prostitution and pornography, which often occurs outside the family environment. See, e.g., A. RUSSELL & C. TRAINOR, *supra* note 2, at 16, 94, 107 (2.8 children per 100,000 were sexually abused by a nonrelative in 1979; 11.4 in 1982. Comparable rates for sexual abuse by all types of offenders were 9.2 per 100,000 children in 1979, and 13.8 in 1982.); Finkelhor and Browne, *Sexual Abuse in the National Incidence Study of Child Abuse and Neglect: An Appraisal*, 8 CHILD ABUSE AND NEGLECT 23, 26 (1984) (probable that non-family abuse actually constitutes a majority of all abuse).

In addition, this amendment would require reports of non-parental familial abuse which state laws may not recognize. See, e.g., Matter of Case, 120 Misc. 2d 100, 465 N.Y.S.2d 417 (Fam. Ct. Oneida Co. 1983) (court dismissed child abuse charge predicated on sexual abuse of a girl by her 19-year-old brother, as he was not "acting in loco parentis" and "legally responsible" for her).

child protective professionals to collect relevant information concerning non-familial sexual abuse.¹⁷⁰

C. Private Civil Action by Victims

A federal private right of action for children used in pornography or prostitution would allow at least some victims of sexual exploitation the opportunity to obtain compensation for their injuries. Two types of proposals currently before Congress offer frameworks for private rights of action in federal courts against the sexual exploitation of children. Both proposals deserve careful attention as they are the reforms under current discussion with the greatest potential for use by the private bar on behalf of sexually victimized children.

1. RICO Civil Actions

RICO not only offers criminal sanctions for the predicate offenses it recognizes,¹⁷¹ it also grants a private right of action for victims of those crimes.¹⁷² Under the civil remedies provisions of RICO, a victim can sue for treble damages plus attorneys' fees and the cost of the suit.¹⁷³ Thus, the proposals to amend RICO

¹⁷⁰ Finkelhor and Hotaling, *supra* note 169, at 26-27 (limitations of defining sexual abuse as acts committed by "a parent substitute or other adult caretakers"; such a definition precludes accurate research). Because the definitions of child abuse vary from state to state, there is a lack of standardization in data gathering. See, e.g., S. O'BRIEN, *supra* note 5, at 17.

¹⁷¹ The predicate offenses include kidnapping, murder, arson, and fraud. 18 U.S.C. § 1961(1) (1970). The criminal sanctions provide for fines of up to \$25,000, imprisonment up to 20 years, and forfeiture of property or interests acquired in violation of § 1962. 18 U.S.C. § 1963(a) (1970). See *supra* text accompanying notes 75-86, 120-26 (discussing RICO and proposed additions to RICO).

¹⁷² 18 U.S.C. § 1964(c) (1970) ("Any person injured in his business or property by reason of a violation of § 1962 of this subchapter may sue therefore in . . . district court . . .").

¹⁷³ *Id.* In addition, federal prosecutors may be able to obtain equitable relief to bar further distribution of material obtained through sexual exploitation under 18 U.S.C. § 1964(b), although the statute probably would not allow a child to bring a suit for such equitable relief. See *Sedima, S.P.R.L. v. Imrex Co.*, 105 S. Ct. 3275 (1985) (discussion of legislative history of RICO remedies indicating that injunctive relief was limited to actions by the United States). Under § 1964(b), in any action brought by the United States, the court may at any time enter restraining orders pending final determination. 18 U.S.C. § 1964(b) (1970).

to include child pornography offenses¹⁷⁴ could offer an effective means for granting compensation to victims of child pornography.¹⁷⁵

Including child pornography as a predicate offense under RICO, however, will not provide a viable private right of action for victims unless the language governing its civil remedies provision is slightly modified as well. The current limitation of damages to those resulting from injury to a person's "business or property"¹⁷⁶ effectively precludes lawsuits by children who have been injured in a profoundly *personal* way—through sexual exploitation. Only if the scope of recoverable damages is expanded to include personal injuries suffered from sexual exploitation will those victims be able to receive compensation under this statute.¹⁷⁷ Because personal injury damages often are not available under state law rights of action,¹⁷⁸ personal injury damages for sexually exploited children should be included in RICO's civil remedies provisions. Furthermore, both the seriousness of the injury involved and the importance, recognized by the Supreme

¹⁷⁴ See *supra* text accompanying notes 120–26 (discussing proposals).

¹⁷⁵ Several bills currently before Congress propose including child pornography offenses in RICO and thus would provide treble damages. See S. 625, 99th Cong., 1st Sess. (1985) (sponsored by Sen. Hawkins); S. 985, 99th Cong., 1st Sess. (1985) (Sen. Grassley); H.R. 1704, 99th Cong., 1st Sess. (1985) (Rep. Clinger); and H.R. 2539, 99th Cong., 1st Sess. (1985) (Rep. McCrinn). The idea of including child pornography offenses in RICO was first introduced by Senator Specter in his proposed bill, S. 57, 99th Cong., 1st Sess. (1983), that became much of the basis for the Child Protection Act of 1984, 18 U.S.C. §§ 2251–2253 (1984). See *supra* text accompanying notes 65–74.

¹⁷⁶ 18 U.S.C. § 1964(c) (1970).

¹⁷⁷ Both of the Senate bills currently pending on this issue allow recovery of damages for personal injury under U.S.C. § 1964(c) (1970). See S. 625, 99th Cong., 1st Sess. (1985), at § (b); S. 985, 99th Cong., 1st Sess. (1985), at § 4. Neither of these bills, unfortunately, would redress personal injuries suffered by children involved in prostitution. This single-minded emphasis on helping child pornography victims is as misguided as the provision of RICO that makes child prostitution, but not pornography, a predicate offense. See *supra* text accompanying notes 120–26.

¹⁷⁸ Although state laws on invasion of privacy may provide a remedy for victims of sexual exploitation, courts, on occasion, have been unwilling to sustain private actions by children if their parents consented to the activity. See, e.g., *Falona v. Hustler Magazine*, 607 F. Supp. 1341 (D.C. Tex. 1985), appeal docketed, No. 85-1359 (5th Cir. 1985) (child whose nude pictures appeared in *Hustler* had no right to revoke mother's consent to publication of the pictures and to collect damages from *Hustler*). The District Court in *Falona* denied that the pictures constituted "child pornography," see *id.* at 1343 n.4, although at least one picture shows the plaintiff-child holding her vagina open for the camera. An act that certainly constitutes "lewd exhibition of the genitals," one example of pornography under *Ferber*. See 458 U.S. at 747 (1982). See also *Shields v. Gross*, 58 N.Y.2d 338 (1983) (dismissing Brooke Shields' effort to stop publication of nude, highly eroticized pictures taken of her at age 10 with her mother's consent).

Court in *New York v. Ferber*,¹⁷⁹ of preventing sexual exploitation and abuse of children suggest that a civil remedy under RICO is appropriate.¹⁸⁰

2. Special Statutory Right of Action

While an adaption of the ~~some~~ structure of RICO to fit the claims of sexually exploited children could offer these victims some relief, the magnitude of the problem also warrants the establishment of a wholly independent statutory right of action for victims of federal child-pornography offenses. A bill currently before Congress adopting this approach¹⁸¹ would allow victims both to recover treble damages for physical injury, emotional distress, or property damage, and to obtain equitable relief.¹⁸² Unlike RICO, the bill does not require a showing of a "pattern" of conduct and the existence of an "enterprise." Instead, the bill provides for expedition of these civil actions¹⁸³ and, at the court's discretion, closure of the proceedings to the public¹⁸⁴ in order to make prosecution less stressful for victims and their families. Although Congress may be more willing to amend RICO than to create an entirely new cause of action, the advantages of this latter approach make it a political battle worth fighting.¹⁸⁵

¹⁷⁹ 458 U.S. 747, 757 (1982) (prevention of sexual exploitation and abuse of children constitutes "a governmental objective of surpassing importance").

¹⁸⁰ Such remedies would be limited in scope by the nature of RICO, which applies only to situations in which the defendants had engaged in a "pattern" of sexual exploitation as part of an "enterprise." 18 U.S.C. §§ 1962(a), 1964(c) (1970). See generally Prepared Statement of Gregory A. Loken on Child Abuse Victims Rights Act of 1985 before the Subcomm. on Juvenile Justice of the Comm. on the Judiciary, at 16-22 (Sept. 24, 1985) (discussing the use of civil RICO to protect and recompense child victims of sexual exploitation) (on file at HARV. WOMEN'S L.J.).

¹⁸¹ S. 1187, 99th Cong., 1st Sess. (1985) (amending the Child Protection Act to create remedies for children and other victims of pornography).

¹⁸² See *id.* at § 4, (amending 18 U.S.C. § 2255 (1984)). Allowing victims to sue for equitable relief is an advantage this proposal may claim over the similarly motivated efforts to amend RICO. See *supra* note 173.

¹⁸³ See *id.* at § 4 (amending 18 U.S.C. § 2255 (1984)).

¹⁸⁴ See *id.* at § 4, (amending 18 U.S.C. § 2255 (1984)).

¹⁸⁵ See Effect of Pornography on Women and Children: Hearings Before the Subcomm. on Juvenile Justice of the Senate Comm. on the Judiciary, 98th Cong., 2d Sess. 197 (Sept. 25, 1984) (statement of Gregory Loken) (proposing legislation creating new civil right of action).

Feminists who oppose pornography may support S. 1187, in part because it creates a private right of action for persons of all ages who have been coerced into pornography, and makes such coercion a federal crime. S. 1187, § 2, 99th Cong., 1st Sess. (1985).

CONCLUSION

In the last decade, Congress has made significant strides in addressing the problems of sexually exploited children. The Sexual Exploitation Act¹⁸⁶ and the Child Protection Act¹⁸⁷ strengthened existing criminal statutes concerning child prostitution and pornography, while the Runaway and Homeless Youth Act¹⁸⁸ created shelter and other relief services for runaway and homeless youths. In addition, the Missing Children's Assistance Act¹⁸⁹ and the Missing Children Act¹⁹⁰ aid the search for missing children—the youths vulnerable to sexual exploitation. Yet much remains to be done: child pornography and prostitution continue to be major industries in this country,¹⁹¹ shelter and support services reach only a small number of the youths who need them,¹⁹² and sexually exploited children lack the means to demand compensation from their abusers.¹⁹³

For reasons of political pragmatism, this Article has offered proposals to fortify existing legislation rather than to create entirely new statutory frameworks. Although these proposals would

(amending the Child Protection Act of 1984, 18 U.S.C. § 2251 (1984). For example, feminist anti-pornography activist Catharine MacKinnon indicated her general support for S. 1187, but urged that it be broadened to include sexual discrimination as a constitutional basis for its enactment. Letter from Catharine MacKinnon to Senator Spectre (July 4, 1985) (on file at HARV. WOMEN'S L.J.). For discussions of the feminist positions on pornography, see Case Comment, *Pornography and the First Amendment: American Booksellers v. Hudnut*, 9 HARV. WOMEN'S L.J. 153 (1986); Book Review, 9 HARV. WOMEN'S L.J. 215 (1986). See also Dworkin, *Against the Male Flood: Censorship, Pornography and Equality*, 8 HARV. WOMEN'S L.J. 1, 24-28 (1985) (model anti-pornography statute). In its decision overturning the "Indiana Ordinance" drafted by MacKinnon and Dworkin, the Seventh Circuit specifically declared that "[w]ithout question a state may prohibit fraud, trickery, or the use of force to induce people to perform—in pornographic films or in any other films," *American Booksellers Ass'n v. Hudnut*, 771 F.2d 323, 332 (7th Cir. 1985), *aff'd mem.*, 54 U.S.L.W. 3560 (U.S. Feb. 24, 1986), and that under the principles of *Ferber* the state might be able to "restrict or forbid dissemination of the film in order to reinforce the prohibition of the conduct." *Id.* The "Indiana Ordinance" was struck down because its definition of "pornography" was tied to a single "viewpoint"—the subordination of women—and so, unlike S. 1187, was not content neutral. *Id.*

¹⁸⁶ 18 U.S.C. §§ 2251-2253 (1978). See *supra* text accompanying notes 41-64.

¹⁸⁷ 18 U.S.C. §§ 2251-2255 (1984). See *supra* text accompanying notes 65-74.

¹⁸⁸ 42 U.S.C. §§ 5701, 5702, 5711-5716, 5731, 5732, 5751 (1983 & Supp. 1985). See *supra* text accompanying notes 87-108.

¹⁸⁹ 42 U.S.C. §§ 5771-5777 (Supp. 1985). See *supra* text accompanying notes 109-12.

¹⁹⁰ 28 U.S.C. § 534 (Supp. 1985). See *supra* text accompanying notes 113-16.

¹⁹¹ See *supra* notes 5 and 43.

¹⁹² See *supra* text accompanying notes 93 and 94.

¹⁹³ See *supra* text accompanying note 147.

redress the omissions and shortfalls of the current statutes, they are necessarily limited by the parameters of those statutes. Congress has yet to legislate in this area to the full extent of its powers. Because the Commerce Clause¹⁹⁴ gives Congress power to regulate acts related to child prostitution or pornography whenever those acts are intertwined with interstate commerce,¹⁹⁵ and because many acts associated with juvenile prostitution and the production of child pornography involve such commerce,¹⁹⁶ Congress has the ability to move forcefully against the sexual exploitation of children, if it chooses to do so.¹⁹⁷

Yet even the most forceful legislation will not be able to fully redress the problems of sexually exploited youths. One counselor who has worked with street youths involved with prostitution described their needs in simple terms: "They came to the Center in search of food, shelter, medical care, clothing. But, most of all they were in search of caring."¹⁹⁸ For caring, they must look elsewhere—but legislation must, at least, help to end their search for bed and board.

¹⁹⁴ U.S. CONST. art. i, § 8.

¹⁹⁵ The Supreme Court has acknowledged broad Congressional power to regulate sexual conduct intertwined with interstate commerce. See *Cleveland v. United States*, 329 U.S. 14 (1946) (upholding conviction of polygamist for transporting one of his wives across state lines); and *Roth v. United States*, 354 U.S. 476, 492-93 (1957) (upholding federal statutes prohibiting the mailing of obscene matter). Moreover, the federal power to legislate with regard to the "public health, morals or welfare" extends not simply to criminal prohibitions against actual interstate travel or shipment of goods, but to any activity which Congress reasonably concludes affects interstate commerce. See *United States v. Darby*, 312 U.S. 100, 114, 117-26 (1941). See also *Katzbach v. McClung*, 379 U.S. 294 (1964) (Civil Rights Act of 1964 applied to restaurant despite absence of evidence that interstate travellers were served, based merely on the restaurant's purchase of a substantial amount of food from out of state); and *Garcia v. San Antonio Metropolitan Transit Authority*, 53 U.S.L.W. 4135 (1985) (Commerce Clause permits federal regulation of labor conditions even among workers employed by city and state governments).

¹⁹⁶ For example, juvenile prostitutes often travel great distances to operate in such convention capitals as New York and Los Angeles, and then attract out-of-town customers. See *ENABLERS, INC.*, *supra* note 88, at 78-81. Similarly, child pornography is produced with photographic equipment purchased in the normal course of interstate commerce, and is then widely circulated among different states. See ILLINOIS LEGISLATIVE INVESTIGATING COMM'N, *SEXUAL EXPLOITATION OF CHILDREN: A REPORT TO THE ILLINOIS GENERAL ASSEMBLY 37-65* (1980) (description of "underground network" of child pornography, which consists primarily of mail-order operations).

¹⁹⁷ For example, Congress might act to regulate the interstate travel by pimps to recruit prostitutes, or by customers who travel to use their services. Producing "kidnapping" movies with equipment purchased in the course of interstate commerce might also be regulated.

¹⁹⁸ T. ABLE-PETERSON, *CHILDREN OF THE EVENING* 11 (1981).

THE PREPARED CHILD

A Handbook for Parents on Keeping Your Child Safe
in an Occasionally Unsafe World

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The Department of Justice, Office of Juvenile Justice and
Delinquency Prevention, Office of Child Abuse Prevention
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I.

INTRODUCTION

The Prepared Child

For years, the issue of missing children went largely ignored by the public and the media. This is understandable. The possibility that one's child could disappear is a reality no parent wants to acknowledge.

With the widespread publicity given to certain cases of "stranger abduction" (abduction by someone unknown to the child), a new interest in child safety has emerged. Suddenly the faces of missing children are staring back at us from milk cartons, mailboxes, grocery bags, and store windows. Everyone, it seems, is now producing child protection pamphlets, I.D. kits, and public education programs. A case of abduction which might have attracted little or no media attention a few years ago now makes front page news for weeks on end.

Clearly, there is a national movement underway to guarantee the safety of our children. No one will deny the importance of this goal. However, we must begin by facing a difficult truth: it is an impossible goal to achieve.

No advice, no product, and no precautions can absolutely guarantee that a child will not be abducted by a stranger.

But what are the chances of it happening in today's world? What is the risk to your child that while walking home from school he will be attacked, or lured into a stranger's car? If we think about these questions, it becomes clear that our concern about abduction is based more on fear than on common sense. The chance of a child getting killed in a car-bike accident are much, much greater than the chance of being abducted. Why aren't we as alarmed about bicycle safety?

Nothing is more frightening to a parent than the thought of losing a child. If we could ignore this fear, we probably would. Because it is so frightening, it is easy to let our emotions take over when we think about protecting our children from strangers. If we do this, however, we run the risk of closing them off from the world. If we pass our fear onto them, we may make them afraid of life itself.

In some ways, children are by nature vulnerable people. But they are not helpless. They are more trusting and in many cases more curious about the world than the rest of us. Most are physically incapable of resisting an attack by an adult. And there will always be times when we cannot be with them, looking out for their well-being. The best way to protect them from danger,

then, is to help them become capable and self-reliant. If they are confident and prepared for the world and its uncertainties, they can respond to dangerous situations without panic.

Our goal is not to hide our children from danger, or to make them live in constant fear of it. Our goal is to make our children as safe as possible in an occasionally unsafe world.

The first step is to see beyond our emotions and look at the cold, hard facts about missing children:

Fact: Abductions by strangers do happen.

Fact: Such abductions are extremely rare.

Fact: Some people want you to think abductions are common, because they are a living exploiting your fear of abduction.

Fact: You cannot be with your child 24 hours a day. The most important person in protecting a child from danger is the child himself.

Fact: All children have a fear of being separated from their parents. By frightening your child further, you may inhibit his ability to protect himself.

Fact: You can prepare your child for the possibility of danger without frightening him or her.

A Prepared Child is a Protected Child

The purpose of this booklet is to share with you the best information available on missing children and child safety. We will begin with an overview of the problem, then present what we feel is the most effective way to approach the subject of abduction with your child. Because it is not an easy thing to discuss without the emotional response of fear or anger, how you bring the subject up may be just as important as the words you say. Always remember that honest communication with your child is your greatest prevention tool.

Also included are a list of standard precautions you can take in protecting your child, and suggestions for community action that concerned parents can take to help solve the broader problems of all "children-at-risk."

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II.

OVERVIEW

Who's Missing?

Defining a problem is the first step toward its solution. But when people today talk about missing children, it is not always clear what children they are talking about. Because cases of stranger abduction have captured the most attention, the word "missing" is often thought to refer only to the victims of abduction. This is a dangerous assumption. Much of the current confusion comes from careless or deliberate misuse of the word "missing."

For example: Using the broadest definition, it is possible to say that each year there are 2,000,000 missing children in the United States. But it is also possible to say that there are as few as 150. Neither statement is false, but neither gives an accurate picture of the problem. If we count as missing all children who are gone from their home for any length of time, the two billion figure is accurate. If we are talking strictly about reported cases of abduction by strangers, the smaller number is reasonable.

Before we accept any statistics on missing children, we must first ask what groups are being included in the statistics.

The Categories

Four groups of children are generally counted in the existing research on missing kids. These are:

1. Runaways--children of all ages who leave home for any length of time. Most are fleeing from problems in the home or at school. In many cases, the problems are serious and require professional counseling. In cases of physical or sexual abuse, running away--and thus calling attention to the problem--can be the best thing the child can do for himself.
2. Throwaways--children who have been kicked out of their home or abandoned by their parents.
3. Parental Abductions--children stolen from one parent by the other prior to or soon after a divorce. Such children suffer extreme emotional trauma, often being used in a cruel game of retaliation by their parents. Some are lied to by the abducting parent or given new names to keep them from being found. We do not know exactly how common this is.

4. Stranger Abductions--children kidnapped by strangers either through force or deception.

It is difficult to know for certain how many of the children reported to the police as "missing" belong in each of the above categories, simply because at the time they were reported to the police the parent did not know. The parent of a child who runs away from home may suspect that an abduction has occurred. Likewise, it is possible that an abducted child could be mistaken for a runaway. All too often, parents who report missing children fail to report the safe return of the child. For this reason, few reliable statistics are available.

Efforts are now underway to gather precise information about each of the four groups. However, the research we now have strongly suggests that the overwhelming majority of missing children are runaways. Last year, the 27 runaway programs in Michigan reported a total of 39,000 contacts with children who had run away from home or were considering it, and their concerned parents. Nearly nine thousand young people received direct service from runaway programs. There is no way of knowing how many additional children ran away without contacting an agency.

Numbers Game

Does this mean that we can all stop worrying about abduction as a threat to our children? Of course not. No statistic can overshadow the fact that one stranger-abduction is too many if your child is the victim. Furthermore, the statistics do not include victims of sexual assault who are not abducted (and therefore not "missing"), even though this is an equal concern to most parents.

All that the numbers can really tell us is that numbers don't tell us enough.

Even worse, numbers can be used to deliberately mislead the public for financial gain. Because this is such an emotional issue to parents, a lot of companies have emerged which are trying to "cash in" on the national fear of abduction. Most of the products they sell are useless, offering merely symbolic reassurance that your child is safe. Many others can be obtained free of charge from law enforcement agencies or service organizations. Consumers should always think twice before buying any device or kit that promises to protect children from danger. And they should never trust the numbers used in advertising such products.

Michigan's Missing Children

Since efforts to arrive at an accurate profile of America's missing children are still in an early phase, the most reliable figures we now have come from studies with a very limited focus.

The Michigan State Police Juvenile Unit and MSU's School of Criminal Justice recently completed one such study. Examining cases of Michigan children aged 16 years or younger listed on the LEIN computer as "missing" on February 19, 1985. There were 804 such cases on file.

In order to focus on the issue of abduction, the study concentrated on children aged 14 years and younger. 428 of the 804 fell into this age group. A direct contact was made with each police agency to determine which of the categories each of these missing children fell into. The breakdown was as follows:

- 83.0% Runaways
- 15.0% Parental Abduction/Custody Dispute
- 1.8% Throwaways or Unknown
- .5% Stranger Abduction

Again, these figures are not intended to downplay the importance of protecting children from strangers. This does not mean we should take the issue of abduction by strangers lightly. But we need to look at how best to prevent those abductions. We must remember also that most child sexual abuse involves a trusted friend or relative of the child, not a stranger. If we talk only about strangers with our children, will we make it harder for them to recognize abuse when it comes from someone they think of as a friend?

In short, we must not let reasonable caution turn into unreasonable fear.

III

THE FOUNDATION

Preparing Your Child

Whenever we hear of the abduction and murder of a child, we feel helpless inside. The fact that such a horrible thing can happen in the world makes us angry at the world for being so cruel and unfair. We look for things we can do to get rid of our anger and make the world safer. When this happens, we must be especially careful not to let our emotions rule our intelligence.

The helplessness we feel at the thought of abduction is very much like the helplessness all children feel about the world in general. In fact, whenever we respond to events with just our emotions, we are acting the way children act when they have not yet learned to accept the limits of their power in the world. The three-year-old trying to understand why he can't have a cookie half an hour before dinner feels basically the same emotion as the adult who demands to know why violence must strike innocent victims. Both want to control a situation that is more or less beyond their control.

Growing up is itself a process of learning boundaries, and accepting the limits of one's power in the world. For most children this is not an easy process. As caring parents, we have a responsibility to help our children in this important, difficult task.

Children Are Not Helpless

On the first page of this book we said that children are vulnerable, because they are innocently curious about the world and lack the physical strength of an adult. This does not mean that they are helpless. Nor does it mean that innocence and curiosity are to be discouraged. On the contrary, we would all probably be more productive and healthy as adults if we held on to some of the naive wonder we possessed as children.

One of the most important gifts you can give to your child is the self-confidence that he can take care of himself in the world. This does not mean giving the child a false sense of security. It means that, if the child finds himself in an unusual or threatening situation, he will be able to take responsibility for protecting himself.

With this in mind, we can see the real danger of overstating our fear of abduction. If we make children believe that every street corner holds a stranger who wants to abduct them, we reinforce

the negative feeling of helplessness. We make the world seem like a dangerous place. We discourage curiosity. Most importantly of all, we make them feel they cannot take care of themselves.

This is why the child who lives in constant fear of danger is not prepared to do the best thing in a dangerous situation. Children must believe they can take care of themselves.

Among the safety tips you will find in the next section of this booklet are things like "Teach your child it is okay to scream and yell for help if he thinks he is in danger." This is perfectly sound advice. Kids should know how to attract attention when they are in trouble. But if you teach your child to scream and yell without giving him the confidence to decide when screaming and yelling is appropriate, you leave him with the feeling that screaming and yelling are his only means of self-protection. This tells him he is only safe when someone else is around to hear him call for help. It is not enough.

More than anything else, you must give your child confidence in his own ability to make decisions about his safety.

The Game of Problem Solving

As any parent knows, telling is not teaching. You can tell a child a hundred times that he shouldn't spoil his appetite, but he's probably not going to stop snacking before supper until he has a reason of his own to do so. Similarly, a mechanic may be able to tell you what's wrong with your car, but you would never know how to fix it yourself without taking an engine apart with your own hands.

Because telling is not teaching, making a child safe from danger means more than applying "safety tips." And it means more than simply telling him he can take care of himself. The best way to inspire self-confidence in your child is to guide the child in finding his own answers to questions about safety.

By the age of four, most children are able to take general rules and apply them to specific situations. At this age, then, it is important for parents to begin to engage the child in problem-solving activities. This can take the form of a game, or merely casual conversation with the child while walking or riding in the car. It should not be a "special" occasion, and ideally will continue throughout your child's life. All you are doing, after all, is opening the door to honest communication with your son or daughter.

Your goal is to present situations to the child and ask what the child would do in that situation. These should be simple and non-threatening. You could ask:

"Pretend we got ready to have a picnic and it started to rain. What would we do?"

Or:

"What would you do if you missed the schoolbus and Mommy and Daddy had already left for work?"

Or:

"What if your best friend asked to borrow your favorite toy?"

Both you and the child should participate in solving the problems these questions present. Of course, you want to let the child develop confidence in his own ability to handle unexpected situations. When his response is inappropriate, it is important not to make him feel he has given a "wrong" answer. Instead say, "You could do that, but there's probably something better." As much as possible, your child should feel that you are equals in this game, and that he does not have to rely on you to tell him the best answer.

As the game becomes more familiar, you should encourage your child to ask his own questions. This will tell you important information about the things that cause your child the most concern. The game gives the child a chance to talk about troubling matters that he may otherwise not feel comfortable bringing up. For example, if someone has been bothering him in some way, it may be easier for a child to bring it up as a "let's pretend" question than to talk about it openly. By talking through the "pretend" problem, you can make him feel it's okay to talk about the real problem in his life.

It is vital that you listen carefully to the questions your child asks, and help him arrive at satisfying answers.

Strangers

Since the main issue of this booklet is child safety, you will probably want to bring up questions about dealing with strangers. Two things must be stressed at this point:

1. If your child is prepared to handle a bad or dangerous situation with a familiar adult, he or she will be able to handle a similar situation with a stranger.
2. If your child goes away thinking strangers are the most dangerous people, he or she may have trouble recognizing bad situations involving people who are not strangers.

As you play the problem-solving game with situations involving strangers, you will learn what your child thinks a stranger is. You may decide you don't want to use the word "stranger" at all. Even if we take great pain to define the word accurately, many children will still think of strangers only as people they've never seen before, or as people who look unusual or dangerous. Experience has shown that the potential exploiter of children is very often someone familiar to the child, and may look perfectly normal and friendly on the surface.

The situations you discuss with your child should involve people who do not fall under the conventional definition of a "stranger":

"What would you do if you were walking home from school and one of the high school kids asked you to come to his house to watch TV?"

"What if you were playing in the yard and a lady drove up in a car and asked you how to find the supermarket?"

"You're riding your bike through the park and a jogger running with his Irish setter asks you to stop for a minute. What would you do?"

If, through your guidance, your child learns the best action to take in situations like these, he will be prepared to handle similar situations involving any kind of stranger. Together you will decide on general rules that can be applied to specific events.

In presenting questions to your child, it is not necessary to become specific about the potential danger of the situation. As we've already said, scaring the child may only increase his natural fears and make him feel more helpless than he is. If general rules are well-established in the child's mind, he will know how to apply them to specific situations. Remember: your child's self-confidence is his best protection.

But this leaves us with an important problem. The truly prepared child must have some understanding that there are people in the world who might try to harm him--otherwise he will not understand why rules of safety are so important. How do we present this information to a young child without creating a fear of all people, most of whom are basically good?

Explaining Mental Illness to a Child

Although it must be handled very carefully, most children are ready to understand the concept of mental illness by the age of five. Of course, it must be discussed on a level that the child

can understand. One way to do this is to draw on the child's personal experience of homesickness.

Remind the child of the bad feeling he had inside when he spent a night away from home. You can then explain that there are some people who have this bad feeling all the time. They feel this way not because they are homesick but because they are "friend-sick." These people think that they can make themselves feel better by finding someone to be their friend, but this will not really make them feel better. The only way they will ever really get over their sickness is to see a doctor.

Your child should be taught that if he ever meets someone who is "friend-sick," the person may want the child to help him feel better. He may try to touch the child in a way that doesn't feel right, or ask the child to do things he does not want to do. Reassure your child that the best thing he can do to help such a person is to stay away from him. Most importantly, he should learn to trust his own feelings about touch, and not be afraid to express those feelings.

Either through casual conversation or the problem-solving game, teach your child that it is perfectly all right to say NO when someone touches them in a way that doesn't feel right. You can use the example of tickling to talk about good touch and bad touch. Every child knows that a certain amount of tickling can be fun, but too much tickling can feel very bad. Assure your child that it is okay to yell "Stop," when someone tickles him too hard, or touches him in any way that makes him feel uncomfortable.

Lastly, your child must learn that he can tell you whenever a "bad touch" incident happens. Many parents make the mistake of telling the child he has a right to say no to bad touch, but then failing to back the child up when he tries to assert that right. If, for example, the child feels uncomfortable giving his aunt or uncle a goodbye kiss, his parents should respect those feelings. Not doing so will only confuse the child, and make him reluctant to talk about good and bad touch in the future.

Playing the Game

You can approach the difficult subjects of strangers, mental illness, and good and bad touch by using the problem-solving game described above. Begin with a situation like this:

"Suppose you got separated from me at the store, and a man walked up to you and asked if you were lost. What would you do?"

There are many ways a child could respond to this. Since you want to help him reach his own conclusions, it is best to let him explore as many options as possible. In this particular case, parents themselves might disagree as to what is the best course of action for the child to take. If the child decides it would be okay to talk to the man, you could then ask:

"What if he came closer and tried to take your hand, and said, 'Here, let me help you find your money.'?"

This is where the general rules you and your child develop about strangers should come into play. On the surface, there is no reason for the child not to trust this helpful man. But if you have helped your child understand that there are "friend-sick" people in the world, and have given him the confidence to take responsibility for his own safety, he should be able to recognize that he does not need to take the man's hand in order to get help finding you. Once the child understands this basic rule, take the situation one step further:

"What if you tell him you don't want to take his hand and he reaches for your hand anyway?"

Now the child is in a recognizable "bad touch" situation, and he should be able to see that it is appropriate to yell "NO" and walk away from the stranger. He should be able to see that he is not helpless in this situation. It is a public place, and there are other adults he can turn to for help.

In playing out this situation, it is not necessary to make the danger any more specific than this. You can even acknowledge that this man might really be trying to help--but that it would simply be safer to stay away from him, because he tried to touch the child when the child specifically told him not to.

It is certainly not necessary to spell out the specifics of an abduction in order to teach the child how to respond safely. Doing so would only create anxiety and a feeling of helplessness in the child, and perhaps overshadow the confidence you are trying to give him.

Building on Honesty

As we said at the outset, there are no guarantees when it comes to child safety, and no amount of preparation can absolutely insure that your child will never encounter sexual exploitation or even abduction. Your goal is to give your child the skills he needs to recognize potential danger and take effective steps to avoid it.

In addition to these skills, your child needs to know that he can honestly share his feelings with you at all times, and that you will listen carefully to what he has to say.

One of the hardest problems facing victims of child sexual abuse is the feeling that they themselves were responsible for the abuse. For this reason, they must overcome a feeling of deep shame just to tell someone about it. Your child should always feel that no matter what is bothering him--even if he has done something he knows he shouldn't have done--you will always forgive him and be grateful for his honesty.

The next section contains specific steps parents can take to prevent abduction. These are the "bricks" out of which you can build an effective safety program for your child. Such a program will be useless, however, unless you have first created a secure foundation to support it. This foundation consists of two things:

1. Your child's confidence that he can take responsibility for his own safety.
2. An open line of communication between you and your child.

IV

THE BRICKS

Making Your Child Safe

The goal of the problem-solving game described in the last section is to supply your child with rules that will help him handle potentially dangerous situations. In this section we will spell out what some of those basic rules should be.

Using the Telephone

As early as possible, teach your child how to use the telephone. Explain to him what "long distance" and "area code" mean, and allow the child to practice making calls to make sure he understands. Teach your child his phone number, your number at work, and the number of a trusted adult. Explain how to dial the operator if he needs help making a call.

Post emergency phone numbers by the telephone in your home. Teach your child how to use these numbers in case of an emergency, using "what if" situations that allow the child to solve hypothetical problems through the use of these numbers.

Teach your child his full address, including the city and state. Show him how to find his home state and city on a map. Also make sure your child knows your full name and the name of your workplace.

Explain to your child that it is okay to use any telephone to call for help if something is wrong.

Teach your child never to give his name over the phone, or tell anyone on the phone that he is home alone. Teach him that it is okay to hang up on any calls that seem strange or make him feel "funny."

Friends and Strangers

Know who your children's friends are, and their addresses and phone numbers. Take an active interest in their activities. Know also what routes your child normally takes to school, playground, friends' homes, etc.

Advise children to "buddy up" whenever possible.

Teach your child always to let you know where he will be, and to call home if there is ever a change in his plans. Be sure to praise the child each time he follows this rule.

If you decide to talk about strangers with your child, help him or her understand that a stranger is anyone he does not know very well. Make sure he understands that most strangers are good people, but that we can't tell very much about a person because of the way he looks. For this reason, some rules must be used in dealing with strangers:

1. Strangers should not want to touch you or get close to you in a way that feels bad or "funny"--especially if you tell them not to.
2. Never go anywhere with a stranger without your parent's permission. Never approach a car driven by a stranger.
3. If a stranger asks for directions or assistance, let him ask an adult. It is okay for a child to ask a grownup for help, but grownups should ask other grownups for help, not children.
4. No one should ask a child to keep a secret from his parents. Make sure your child knows he should tell you if someone asks him to keep a secret.
5. Strangers should not want to take pictures of kids without their parent's permission.
6. If a stranger starts to bother you, you should not hide. It is better to stay in the open and try to get help from a nearby grownup. If anyone tries to make you do something you feel you shouldn't do, get away from the person. It is okay to yell, scream, and bite if you have to, as long as you get away.
7. If you are ever home alone, never tell anyone who comes to the door that you are alone. Never open the door to a stranger, and be sure to know the number of a nearby friend or relative to call if you need any kind of help.

Good and Bad Touch

Talk about touch with your child. Help him recognize that sometimes touch makes you feel good (a friendly hug, or gentle tickling), sometimes it makes you feel bad (a slap, or tickling too hard), and sometimes it can make you feel confused or "funny" inside (when someone touches the private parts of your body).

Make sure your child knows and believes that his body is his own property, and no one has the right to touch him in a way he doesn't like. Assure your child that it's always okay to say NO to anyone who tries to touch him in a way that makes him feel bad or "funny" inside--even a grownup or a good friend. Explain that the child should tell you if such an incident ever occurs.

In order to be able to talk about inappropriate touch, your child must know the words to use to describe the private parts of the body. In general, you can explain that "private" parts are the parts of the body covered by a bathing suit, although there is a chance your child will take this to mean that he or she shouldn't talk about these parts of the body. Remember, your goal is to help your child communicate.

By all means, the words "penis" and "vagina" should be used instead of "cute" euphemisms for these organs. Euphemisms make it difficult for the child to be understood by someone other than the parent, and also send a confused message to the child that it really isn't okay to talk about these things. The prepared child must be made to feel comfortable talking about sexual abuse. Embarrassment or awkwardness on the parent's part will only have the opposite effect.

Even if you've explained that it's okay to tell you about a "bad touch" incident, the child may have difficulty doing it, especially if the person who touched him is someone he trusts. Pay attention to indirect signals that something is bothering the child, and be patient in helping him talk about it. In playing the problem-solving game, it might be a good idea to help the child think of two other people he could tell if someone ever tried to touch him in a bad way. Above all, do your best to make sure your child knows you will love him no matter what he has to say.

Believe your child. Children almost never lie about sexual abuse.

Other Precautions

Here are some additional steps that you, as a "prepared parent," can take toward the protection of your child:

1. Maintain an identification file. This should contain current side and front photographs, vital statistics, and medical information. Fingerprint records can be obtained from most law enforcement agencies and some social service groups, if you wish to include these. You can also include birthmarks, scars, social security number, dental records, strands of hair, copies of x-rays, and handwriting samples.

CAUTION: This file is not a prevention tool. It will only help in the unlikely event that your child becomes abducted or lost. Unfortunately, frightened parents often think of I.D. kits as ways of protecting their child. Do not purchase an I.D. kit--you can easily assemble one on your own, with the help of your local police department.

2. Obtain and check out references of All babysitters, daycare centers, or anyone else charged with the care of your child.
3. It's not a good idea to have your child's name printed on clothing, lunchbox, etc. Knowing your child's name gives a stranger an advantage in earning your child's confidence.
4. Always keep your child in sight in a public place.
5. If you have reason to believe your child is at risk of abduction, establish a code word with your child. Make sure he knows that anyone who is told to pick him up from school will know this code word. As much as possible, make this a game rather than a serious matter involving fear of abduction.
6. Be observant. If you see a suspicious incident involving a child, don't be afraid to ask whether the adult involved is the child's parent. If you see a child alone in a public place, try to find someone who can page the child's parent. Pay attention to unfamiliar cars or people in your neighborhood, and report suspicious incidents to the police.

In the case of a divorced parent who suspects an ex-spouse may attempt to abduct their child, the following additional precautions should be taken:

1. Obtain legal custody of the child.
2. Obtain a passport for the child. (This will prevent anyone else from obtaining a passport and thus being able to leave the country with the child.)
3. Keep a record of all threats by the ex-spouse indicating an abduction may be attempted.
4. If a court order is obtained limiting visitation rights, make sure police procedure is specified in the order, so that action can be taken in the order is violated.
5. Keep a file of vital information on the ex-spouse, including social security number, driver's license number, credit information, financial records, family and friends.
6. Be reasonable, fair, and friendly with your ex-spouse and his family. Do not inflate minor events, such as the late return of a child from a visitation, into an indication of possible abduction.
7. Give a copy of the court order and photo of your ex-spouse to your child's school, daycare facility, camp, or anyone who has the responsibility of caring for your

child. Explain your concern simply and calmly.

The Most Important Rules

One final set of rules for you, the parent, each of which is more important than all the others put together:

1. Talk to your child.
Until your child knows that he can share with you anything that's bothering him, he will not be truly prepared.
2. Listen to your child.
Telling is not enough. You must show by the act of careful listening that you truly care about what's on your child's mind, and respect his ability to solve problems.
3. Pay attention.
To your child. . . your child's friends. . . your neighborhood. . . your community.

It should be clear by now that protecting our children is not simply a matter of taking certain precautions or reading certain books or buying certain products. It is a lifestyle, based on honesty and communication and love. Now that the national problem of missing children has come to light, concerned parents must choose how best to respond to the problem. We can preoccupy ourselves with fear and danger, buy new, stronger locks for our doors, and close our families off from the world. . . or we can stare the problem in the eye, recognize that the safety of our children is everyone's constant responsibility, and work to build a safer world for our kids.

The next section deals with the biggest portion of the "missing children" population, and in many ways the most at risk: those children who find themselves facing the world without a loving parent to talk to, or a secure place to call home.

RUNNING AWAY

Who Does It, and Why

Now that we've looked at the problem of protecting young children from the possibility of abduction and abuse, we need to look at the kids who are not abducted, but who for one reason or another decided to leave home for the uncertainty for life on the street.

Although most runaways are in their teens, the average age of runaway children gets younger every year. This is a disturbing fact. It indicates that for some reason families are not working very well. Either the social problems affecting the family are causing stress on the child, or the lines of communication have broken down between the child and the parents, or something else in the child's life has gotten out of control. Sometimes running away can be a plea for attention. Sometimes, as we said earlier, it can be an act of self-preservation.

No matter how great or how small the problem which causes a young person to run away from home, the solution almost always involves the development positive coping skills. This might mean helping the runaway admit his or her responsibility for the problem. It might mean figuring out how to deal with a parent's alcoholism or abusive tendencies. Most often, the solution involves getting the family to talk about the problem and work together to solve it.

Just as a young child's "safety sense" is improved by creating a feeling of self-confidence, runaway programs try to help older children build self-reliance. Just as a young child is the only person who can take full responsibility for his safety at all times, a runaway often must learn to find his or her own answers to the problems at home.

In a way, programs that work to prevent child abuse, abductions, and running away are all in the same business. It's the business of empowerment. Empowerment means giving each person the power and confidence to make decisions and take responsibility for his or her own life.

Runners Who Don't Run

This brings us to an important point about running away. When we talk about "runaway behavior", we usually think of teenagers leaving home, either for attention, adventure, or relief from abuse. But there are others ways of running away, and we need to

look at them in order to understand what really makes kids run. Once we understand this broader idea of "running away," we can see that teenagers are not the only ones who do it, and that most of us run away all the time without ever going anywhere.

Running away is a natural human response to difficulty. Just as an animal in the wilderness runs from sound of a rifle, human beings run away from things that are scary or difficult to think about. Running away is a means of making things easier, at least for the moment. Running away means avoiding.

The ways we can choose to run away are endless. Some of them are positive, like sports or recreational hobbies, volunteer work, or our jobs. Some are not productive but don't really hurt anyone, like watching the TV, sleeping, or brooding. Some of them can be destructive, either to ourselves or others around them. Alcohol is certainly one thing many Americans use to help them run away from troubles. Drugs, physical violence, and lying are others.

Because it is something we all do, children often learn to run away from problems very early in life. They learn it from watching the way their parents deal with problems. If the members of a family tend to run away from things in positive way, that family is obviously less likely to have serious problems. In a family where alcoholism is a serious problem, the children in the family are more likely to become alcoholics too.

Of course, people and families are more complicated than that. The point we want to make is that, even if we run away from problems in positive ways, the problems stay around. One thing people. The only way problems really get solved is by not running away--by facing the problem and dealing with it.

This helps us understand what runaway programs try to do to help the families of runaways work together. The important thing to remember is that when a child runs away from home, no one is necessarily to blame for it. In fact, trying to blame someone is one of the most common ways we run away from problems. In order to work out the problem in a lasting way, everyone involved needs to agree not to run away. They need to sit down together, face the problem head on, and find ways to solve it.

Once again, communication is the key. Many times, the first step in solving family problems is to talk about it with the people involved. Sometimes, this in itself may take care of the problem. When people run away, often times what they are running away from is communication.

Building strong communication lines between children and parents is the goal of most counseling agencies who deal with young people and families. With small children, it is the center of any sound prevention program. With older kids, it can be the first step toward resolving serious family problems.

Runaway Programs in Michigan

In 1973, the state of Michigan became a pioneer in providing

comprehensive plans for runaway programs. Today there are 27 non-profit agencies throughout the state offering a variety of services to children and families in crisis. Each of these programs functions independently, and is funded through both public and private sources. Each is a member of the Michigan Network of Runaway and Youth Services, which coordinates their efforts both within the state and with the runaway programs of other states. Each operates in accordance with state guidelines.

The basic goal of these programs is to provide a temporary haven for kids while they work out permanent solutions to the problems driving them from home. State law allows runaway programs to provide up to 14 days residence in either a residential program ("shelter") or foster home, during which time the child receives extensive counseling and appropriate emotional support. Parental consent is required for admission to a program, and parents are encouraged to receive counseling as well.

In addition, each program operates its own crisis line for children and parents in need of immediate counseling. These services are coordinated with the statewide, toll-free RAPLINE, which can be reached 24 hours a day by dialing 1-800-292-4517.

Because the problems these programs work to solve have been steadily increasing for the past decade, the need for broader community support is critical to their continued success. In many cases, expanded services have not been met with any increase in funding, spreading the resources of the program more and more thinly over its service area. In short, these agencies fight an escalating crisis with consistently dwindling funds.

Self-Reliance

Just as a small child must ultimately become responsible for his own safety, we are all responsible for our own growth as human beings. The counselors at Michigan's runaway programs recognize this. Their goal is never to solve the problems within a family, but to help the family members work out a solution of their own--for this is the only kind of solution that will last.

Runaway programs can be seen as a "cushion" between the parent and child, or between a child and his problems at home. They offer a chance to work out conflicts in a safe environment, and thus prevent momentary tensions from resulting in permanent breaks in the family relationship. They do everything possible to prevent troubled kids from becoming "missing children."

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Prepared Statement of John E. Gill
President, Children's Rights of New York, Inc.
Subcommittee on Human Resources
House Committee on Education and Labor
August 4, 1986

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Mr. Chair and Members of the Committee:

We would like to thank you for an opportunity to discuss the Missing Children's Assistance Act.

Our organization is Children's Rights of New York, Inc., a lay group formed in 1977 to aid and counsel parents involved in parental abductions. My name is John E. Gill, president of the group, and I am also the author of Stolen Children, a non-fiction book on parental abduction published in 1981.

The Missing Children's Assistance Act was supposed to aid groups who help parents find and recover missing children. It hasn't done so. Instead, most of the federal activity concerned with this ACT has scared families and wasted tax dollars.

The largest example of this waste has been the National Center for Missing and Exploited Children, created by a cooperative agreement from the U.S. Justice Department's Office of Juvenile Justice and Delinquency Prevention (OJJDP). Begun in April, 1984, the National Center immediately published a brochure claiming between 20,000 and 50,000 small children are abducted annually by strangers.

Those figures are false.

Such statistics point out that the Board of Directors and top officials of the National Center have tried to distort and exaggerate this issue in order to raise money to keep the National Center in business, not to find children. Quickly, since in 1984, the National Center's staff has jumped from

approximately 25 personnel to about 52 staff members.

The National Center immediately began distributing small, outdated pictures of missing children, the least effective way of finding youngsters. Yet it does not support bills in Congress which would outlaw parental child-stealing on the federal level, thus bringing federal law enforcement officials into those situations more quickly. Such bills include H.R. 2201, introduced by Rep. Mickely Edwards of Oklahoma.

One of the purposes of the National Center was to accurately determine how many children are actually missing each year. Now, in 1986, the National Center's officials concede they have no idea how many children are gone and won't know for another two years.

Yet they have spent seven million dollars and have created a National Endowment for the Protection of Children, which has raised nearly a million dollars more from the private sector.

The National Center does not publish a directory of private groups around the country which aid parents of missing children. It was supposed to do so.

The National Center's policy of distributing pictures of missing children has made people feel strangers await every youngster who walks home from school. But in its first year the National Center learned of only 142 cases of stranger abductions, and it did little to find those children, some of whom had been missing for years.

Child psychology experts, including Dr. Benjamin Spock, have said such publicity scares children. Dr. Spock, and many others, also believe that fingerprinting small children is useless.

No children have been found because of fingerprinting, yet the National Center promotes this activity because of its publicity potential. It is dramatic and looks good on television.

Under the Missing Children's Assistance Act, the OJDP has given a million dollars to the Institute for Non-Profit Management (INPOM) in Denver, Colo. INPOM is supposed to train other, smaller non-profit groups who work in the field of missing children.

Yet, by its own words, INPOM officials concede they have no expertise in finding missing children. Their training seminars and federal monies are a waste.

Another one million dollars has been given to the National Center to aid state clearinghouses to register missing children. But these clearinghouses do not look for children. They are part of a huge and false national effort, conducted by some public officials and some private groups, to deceive the public into thinking something is being done about the problem of missing children. Many private groups since 1981 have received much publicity and money by saying they register missing children.

But none of these groups, including the National Center, can actually prove they have found children by such registration programs.

We have state departments of motor vehicles which register cars, yet they don't prevent people from stealing cars and they don't look for motor vehicles after they are stolen.

Clearly, we need stronger laws and more law enforcement personnel to look for, and recover, missing children, just like we have laws and police officers to look for and recover stolen cars.

The National Center's publicity and fund-raising campaigns have made the public think that a parent of a missing child is an expert in the entire field of missing children. This is wrong. In the mid-1970's my six year old child, of whom I had custody, was abducted and concealed by my ex-wife. Fortunately, I found and recovered my child three months later.

Yet my own personal experience did not make me an expert on runaway youths and small children abducted by parents or strangers. After three years' experience of holding regular meetings with parents whose ex-spouses had abducted their children, I was able to gather enough material for the book, Stolen Children.

As a concerned citizen and parent, I am still not an expert and learn new facets of the missing children problem every day. But my work since 1977 as head of Children's Rights of New York did convince me we needed a stronger federal law to address parental abductions. Parents who flee with their children usually take them across state lines. It is easier for an F.B.I. agent in

New York to contact a similar agent in California to look for a stolen child than it is for the New York State Police to do so.

But, here again, the National Center and OJJDP do not favor stronger federal laws in this area.

Why is this? Do the directors and executives of the National Center simply want the problem to continue in order to keep their jobs? Do they seek to expand their power and pocketbooks at the expense of the taxpayer in order to appear on television and in newspaper and magazine articles?

The National Center does not work closely with groups on the grassroots level. In fact, when I drafted an article about the federal government's misguided efforts on this problem, I was threatened with a lawsuit from the National Center.

Officials there will not even tell us how they spend their money, much less help us find children. We have asked repeatedly for copies of their federal form 990, which non-profit groups like the National Center are supposed to file with the IRS every year. Such documents are open to the public.

Yet the National Center has not even filed a form 990, the IRS office in Philadelphia, Pennsylvania tells us. What do they have to hide?

Perhaps the most visible person in this field is a man whose son was abducted and killed in Florida. An NBC movie was made about his case and his alleged efforts on behalf of missing

children. Yet the movie said more than 1.5 million children are missing each year and 50,000 of them are taken by strangers. The movie and the National Center have paraded this individual around the country as if he were an expert. Yet he is not a child psychologist, a social worker, a family law attorney, a law enforcement official. His background is in sales and marketing for a resort hotel.

Even he candidly admits now there are only 28,000 or so missing children a year.

A recent report by the General Accounting Office, done for Senator Alfonse D'Amato of New York, said the National Crime Information Center (NCIC) listed just 36,454 missing juveniles on November 1, 1985.

Those children should be found.

But they will not return home safely if the National Center, its directors and executives, continue to exaggerate the problem while doing nothing to find these absent children.

Clearly, we must quiet victimized parents and questionable officials of both public and private groups who seek to exploit this problem for their own advantage. A victim is not an expert.

For three years, from 1961 until 1964, I served as an infantry officer in the U.S. Marine Corps. My duty stations were with the Third Marine Division on Okinawa and with the First Marine Air Wing in Japan. My service to our country came at a time when it was easy to dodge the draft. Yet I volunteered.

In 1964 I left active duty and returned to civilian life, where I worked as a journalist and now as a college professor. That year was a turning point for me. Many of my closest friends from officer school in Quantico, Virginia, stayed in and were promoted to captain. There was a decision I had to make--to leave the Marine Corps, which I loved, and pursue my writing and teaching career, or to stay on, hopefully at the same duty stations as my buddies.

That decision is with me now because some of my friends--yes, men whom I loved as brothers--remained in the Marines and perished in the Vietnam conflict. Their loss is with me today.

Last week I visited the Vietnam Memorial in Washington here. It was very emotional, and I felt like a victim. People who had been close to me many years ago, and who I still think about and remember today, were listed on that memorial.

Yet my loss does not make me an expert in foreign policy.

My loss does not give me license to operate a false charity in the name of peace or national defense.

My loss does not permit me to endorse false activities.

Similarly, we must sympathize with parents who have lost their children. We must console them. But we must separate their loss from our viewpoint and strategy in trying to prevent other losses of children. We must assure those parents that people will look for their missing children, not just register them; that we

will have federal and state law enforcement officers investigate their cases, not just circulate outdated pictures; that we will have stronger laws which might prevent someone from taking their child or children, not just sponsor alleged training seminars by federal grantees unfamiliar with the problem; that cops, not milk cartons, will try to locate and recover their missing loved ones.

Think of it. Suppose someone you knew was missing. Would you want the National Center to say it will place a picture on network television six months from now? Or would you want the F.B.I. to start investigating right away?

In 1980 an F.B.I. official testified before Congress about the Parental Kidnapping Prevention Act. He said the Bureau would need additional agents to become more involved with parental abductions.

So what has the Justice Department done? It has hired 52 non-law enforcement personnel to run a civilian agency which distributes false, bloated statistics and hides its budget.

Clearly, we don't need the National Center. Funds from the Missing Children's Assistance Act should go to hiring more F.B.I. agents and mandating they look more actively for stolen children. Other monies should go to grassroots groups which counsel parents.

Thank you.

Newsday

AS I SEE IT

How Not to Find Missing Children

By John Edward Gill

While the Feds and William J. Casey have joined the struggle against child abduction.

Walt Disney Home Video has made a pact with Winnie giving safety tips for children approached by strangers, and the Long Island Lighting Co. under the direction of chairman Casey will distribute pictures of missing children in bills.

Photographs of missing children are now displayed on milk cartons, shopping bags, trucks, toll booths and cable television screens. Sen. Howard Mankin (D-Ohio) has proposed printing such pictures on envelopes mailed out by members of Congress and by state agencies in the executive branch.

Even President Ronald Reagan went to television recently after the movie "Adam" was aired and asked viewers to look for children whose faces they appeared in a public service announcement.

Such intense public awareness, however, could frighten parents and children unnecessarily; it does not find many children, and obscures the need for stronger federal laws regarding parental abductions.

And finally, facts are compounded by vague and confusing statistics on the number of children actually abducted by strangers.

"At a time when upwards of 50,000 children a year are abducted by strangers... it is critical that our youngsters learn the distinction between a friendly neighbor and an invading stranger," said Ben Telen, vice president of Walt Disney Home Video recently. The National Center for Missing and Exploited Children, a clearinghouse created last year by Reagan and Congress, has released at least four different estimates of stranger-abducted children, ranging from 1,000 a year to 50,000 a year.

Yet neither the president nor Congress nor anyone else has taken a survey, and the newly created clearinghouse appears to have ignored its own figures of actual cases reported to it and to the Federal Bureau of Investigation. Last year the NCMEC learned of just 143 cases of stranger-abducted children, and not all of those were taken in one year. Its latest Abducted Children Directory lists just 29 criminally abducted children in 1984, and 20 of those children were 12 years old or older and might be classified as runaways. The FBI reported that 67 children were abducted last year.

Such lack of candor by the administration and its private supporters raises questions as to whether they really are doing all they can to help find missing children. Public awareness programs and dis-

plays of photos raise more questions. Does such publicity work? "Adam," seen by an estimated 55 million people, found 14 children who strayed last year, plus taken by a parent and one runaway. No stranger-abducted children were found. That movie cost \$5 million to produce, and about \$34,000 was spent just to run telephone banks to receive calls after that public service announcement. A recent rerun of the movie found eight children.

Some private missing children's groups have found nearly 100 children a year on budgets of less than \$50,000 by using routine detective methods, not displaying pictures. Almost all of the children they've helped find have been abducted by a parent.

The National Child Safety Council reported that more than 750 dairies are helping with its milk carton campaign and that "millions" of pictures of missing children have been distributed nationwide. Yet only six children have been located since January when that campaign began. An official of the safety council couldn't say whether those children were runaways or abduction victims and couldn't estimate how much money was spent on the milk carton campaign. Financial statements filed by that group last year, however, show it had a budget of almost \$3.5 million, paid its president nearly \$26,000 and spent \$63,000 on travel expenses alone.

The Reagan administration has committed nearly \$4 million to the clearinghouse, wants to give it another \$4 million in fiscal year 1985, and Congress has allocated still another \$4 million to the Advisory Board for the Missing Children's Assistance Act. This board first met in March and has yet to initiate any programs to find missing children.

With all of this federal money and publicity, Reagan, the Justice Department and the NCMEC have ignored bills in Congress to outlaw parental child abduction. A bill introduced by Rep. Mickey Edwards (R-Ohio) would bring the FBI into parental abductions more quickly, and administration officials concede that nearly all small children who are abducted are taken by a parent in a custodial dispute.

Why doesn't Reagan expand the role of the FBI and spend money on it instead of on the NCMEC? Wouldn't parents feel more at ease if they knew an FBI Agent would look for their children rather than relying on a milk carton? And wouldn't the public, already frightened by those biased, unfounded statistics, feel more relaxed if there was an accurate survey on stranger-abducted children?

John Edward Gill is president of Children's Rights of New York Inc., a small private group in Stony Brook that counsels parents with missing children.

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AS I SEE IT

Finding Missing Kids Should Take Priority Over Bureaucracies

By John Edward Gill

Kathy Rosenthal is a 52-year-old housewife in Long, Fla., who has never been to Long Island. Georgia Bilgusan, from San Jose, Calif., is a 34-year-old housewife who has never visited Long Island, either. Yet both have aided parents here in finding and recovering lost abducted children.

Working out of small offices run by volunteers, their women started groups which helped locate nearly 300 missing children in the past few years. Rosenthal, with six children at home, has an annual budget of about \$10,000. All of which goes for expenses. Bilgusan, the mother of five, works with her funds. Both seek no local private support.

But they work against a trend that has seen the U.S. government give nearly \$5 million to groups that don't actively help parents find children.

This surfaced last spring when New York investigated the Child Find organization in New Paltz and found that it had misappropriated itself (Child Find Agrees to Alter Policies, *Norway*, May 30, 1984). While Child Find didn't receive federal money, it was endorsed by several federal officials who sponsored the Missing Children's Assistance Act last summer. This act makes up to \$10 million a year available for the next four years to groups dealing with the tragedy of missing children.

The prime beneficiary of such federal money is the National Center for Missing and Exploited Children, a private, nonprofit agency in Washington, D.C., which opened last April with a \$3.3-million grant from the Justice Department.

A number of private voluntary children agencies around the country are concerned, however, that the NCMEC could make the same mistake as Child Find — emphasizing publicity instead of finding children. For example, NCMEC claimed that between 20,000 and 50,000 small children are abducted by strangers each year, a sensational figure which has received many headlines, but has no foundation as *Norway* has reported ("Child Kidnap Fears Overstated in 'Lies' Column," May 10, 1984). In fact, during its first six months, the NCMEC uncovered just 76 cases of stranger abductions.

The \$3,000 figure has been used repeatedly by Child Find and the Adam Walsh Child Resource Center in Florida. The Adam Walsh Center received about \$1 million from the old U.S. Law Enforcement Assistance Administration between

Who really helps these parents?

1981 and 1983. An official from the center said they receive about 15 inquiries a week about parental kidnappings, but couldn't say how many children were found because of the center's efforts.

Another group that has received federal money is the American Bar Association, which took about \$200,000 from the Department of Health and Human Services between 1981 and 1984. For the money, the ABA published a booklet on state child custody laws, urging parents to hire lawyers rather than look for children themselves. The ABA has received another \$25,000, this time from the NCMEC, to republish its booklet, which contained listings of some private groups — like Child Find.

Every missing child is a tragedy. Parents who don't know where their children are find no comfort in dispute over figures or money. But who really helps these parents? Experience shows that low-profile volunteer organizations like Rosenthal's Children's Rights of America and Bilgusan's Vanished Children's Alliance have far better records than some highly publicized — and better financed — groups. Agencies headed by these two self-taught "housewives" and others like them, should have priority when U.S. officials parcel out tax dollars.

John Edward Gill of Stony Brook is the author of "Seven Children" (Penguin).

NEWSPAP, WEDNESDAY, JANUARY 23, 1985

AS I SEE IT

Missing Kids' Parents Should Watch Out For Cheating 'Searchers'

By John Gil

Last spring, Norma Williams, a 24-year-old commercial artist from Manhattan, drove east to Suffolk County one Sunday night to pick up her 2-year-old son, who'd been visiting her ex-husband. To her surprise, both her son and the boy's father had vanished. Williams (not her real name) turned to a private, "unofficial" agency in upstate New York for help.

The group asked her to describe her son, which she did, and said to send a picture of him, along with \$50, so they could register him as missing. They also said his description matched "that of a dead body on a roster of deceased individuals. They told her to check back later — and to be sure to send that money."

Norma Williams was smart. She never checked back, nor did she send any money. Instead she called another lay group, this one on Long Island, which contacted her over the phone and referred her to a similar group in Los Angeles. In about two months Williams found her ex-husband in San Diego and recovered her son, of whom she had custody.

Williams' experience is similar to that of about 100,000 other parents each year. They lose their children and wonder where to turn. Unfortunately, many become easy prey to a growing number of questionable entrepreneurs seeking quick profits from such grimy situations. Currently about 50 private groups nationwide offer to help parents. About half are sincere. One-fourth do nothing, but the other one-fourth tread between genuine concern and outright fraud.

This last type of group registers children by picture or fingerprint. Their prices range from \$50 to \$500 per child. But they distribute neither pictures nor fingerprints.

We need laws to make federal authorities look for parents who abduct their children, since parents account for nearly all of the young children who vanish annually. Adequate federal laws might prevent parents from fleeing and might help find and detain them, since federal warrants are listed in a national crime computer and can be served in any state. Congress presently is considering such laws, although no bills have yet been introduced in this session.

In the meantime, we need to beware of money-changers who feast on grief. Parents need to learn exactly what a group can or cannot do before donating money or sending photographs or fingerprints.

Parents can detect a false group by asking a few simple questions: Do they counsel for free? Do they

Parents need to learn what a group can do before donating money.

have a referral list for free? Such lists should include other lay groups as well as investigators and attorneys. Parents should always ask for referrals to more than one group, more than one investigator, more than one attorney. Will groups advise on how a parent may go about finding and recovering a child by himself or herself? Such groups may ask for donations, of course, but they should counsel over the phone.

Parents should never send money to a group until they are certain what they are getting. Where will a child's picture be circulated, for instance? How soon will it be sent out? How many copies will be mailed?

There are two final problems to avoid. Don't be deceived by misleading figures about how many children vanish each year. A few self-serving groups say 2 million kids disappear each year. These numbers are unbounded. No one has an accurate count.

Second, don't place any faith in registering children. Such faith can postpone your investigation, and it's your own efforts that work best in the long run.

John Gil of Stony Brook is the author of "Stolen Children."

WEDNESDAY, MARCH 9, 1988

AS I SEE IT

New State, U.S. Laws On Child-Swiping Still Have No Teeth

By John R. Gill

Four-year-old Jonathan Lyons has had several truck and transportation-related trips to Los Angeles in August. The month's given them to pick up "handyman" to fix his car, but his day or call her father. His own apartment from her mother.

Jonathan's mom took her to the first state out of NJ was arrested. They went to Denver and drove to Salt Lake City. And a relative. Then it was on to another relative's home in Los Angeles.

Jonathan's mom took him to the state of New York State officials this morning. The Louisiana, after considering it since 1977, finally passed a law making it a felony for a parent to take and conceal a child out of state in violation of a custody or visitation order. But this new bill, signed into law by Governor Hugh Carey in early August, didn't bring little Jonathan home. For the father had to do that himself, bringing her down to California and locking her up off the street.

In fact, an immediate transfer authority in New York County, where Jonathan lives, said this new law is impossible to use. Little state statutes on child-swiping. It is weak, complicated, and too late.

It was a criminal misdemeanor, or child-swiping, in a felony only if a custody order is violated. If a child is taken out of state, and if a child is permanently kept out of state, but none if there is no custody order? Then one might argue a child is out of state if they don't know where the child is and how can they prove a child is permanently out of state?

But to make child-swiping to New York a felony regardless of where the child is taken have been failed miserably in execution. You at least 30 children have been child-swiping laws. Children's names it is kidnapping. It means too late different felony statutes, which apply to the problem.

So when does all this leave Jonathan Lyons and other children at danger in New York?

Moreover, a new federal law, which went into effect about the same time as New York's law, still doesn't make child-swiping a federal crime. It says that states should, not must, have custody orders from other states and that the Federal Bureau of Investigation should help parents locate their children. The department had previously only looked for parents who had shipped in child support. But it traces parents only through the records that child support live in government and don't file for reports.

To help children like Jonathan we need a simple law that makes it a felony for one parent to conceal a child from the other parent—with or without a custody order. Inside or outside the state, concealed permanently or not. Public opinion supports

**States children should
come before stolen cars and
junk mail.**

such legislation. A recent New York Times/CBS News poll found that 69 per cent of those responding felt federal kidnapping laws should apply to parents. Adequate felony laws have would hasten federal enforcement; such felony warrants could be served in other states, while misdemeanor warrants cannot.

Clearly, stolen children should come before stolen cars and junk mail in New York. Birth certificates, not custody orders, should start local police and federal authorities looking for stolen children. People only need a little, not custody papers to report a stolen car. They don't need an expensive divorce action for police to investigate mail theft.

Children worth more in the long run, too. They'll last 60 or 70 years, not appliances, rather than appliances, to value as items go by. After all, a child, when grown, will earn more money and pay more taxes than any bank of money or a throwaway advertisement circular.

John Gill is the author of "Stolen Children," a non-fiction book about child-swiping.

NEW YORK TIMES, DECEMBER 10, 1981

LAW OFFICES

WEBSTER, CHAMBERLAIN & BEAN

1747 PENNSYLVANIA AVENUE, N. W.

WASHINGTON, D. C. 20006

(202) 785-9500

May 24, 1985

GEORGE D. WEBSTER
 CHARLES E. CHAMBERLAIN
 J. COLLEMAN BEAN
 ARTHUR L. PEROLD
 ALAN R. DYE
 BURNETT VAN RYK
 FRANK H. MORTIMER
 C. MICHAEL DEESE
 ROBERT R. PARSONS
 JOHN W. HAZARD, JR.
 RAND D. WEBER

CERTIFIED - RETURN RECEIPT REQUESTED

Mr. John E. Gill
 Children's Rights of New York
 19 Maple Avenue
 Stony Brook, New York 11790

Dear Mr. Gill:

Our firm is counsel to the National Center on Missing and Exploited Children ("the Center"). The Center has referred to us the enclosed document bearing your name, address and telephone numbers. Unless we are advised by you to the contrary, we will be forced to conclude that you are its author.

The purpose of this letter is to inform you of the more glaring of the numerous factual inaccuracies permeating the text of your paper. When read in context, those inaccuracies would lead the reasonable reader to the inescapable but false conclusion that both the Center and its Executive Director, Jay Howell, are wasting federal taxpayers' money by operating an enterprise which is inefficient, incompetent and incapable of assisting in the nationwide effort to locate missing children. While you are certainly entitled to exercise your First Amendment right of free speech, we would ask on behalf of our client that your exercise of that right be based upon fact rather than falsehood.

The following statements made in the enclosed paper are false:

1. "Now, at the National Center ... there are approximately 35 civilians with little or no experience in finding children ..." (Page 3, paragraph 2).

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WEBSTER, CHAMBERLAIN & BEAN

Mr. John E. Gill
May 24, 1985
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The clear implication of this statement, that no one at the Center has relevant experience in finding children, is absolutely untrue.

2. "The National Center last summer distributed a brochure which said between 50,000 children and 20,000 children are abducted annually by strangers" (Page 3, paragraph 3).

3. "Its [the Center's] third report, dated January 15, 1985, mentioned that it had learned of just 111 stranger abductions in 1984" (Page 4, paragraph 4).

4. "The Center's summer brochure published figures which said between 25,000 children and 500,000 children are abducted annually by their parents" (Page 4, paragraph 6).

Statements 2, 3, and 4 are all false in that the Center has never published a brochure or a report making such statements on behalf of the Center. The brochure stated that between 20,000 and 50,000 children "disappear" each year and their cases remain unsolved by the end of the year. Further, the brochure pointed out the difficulty of defining the scope of this problem by reporting the widely divergent claims of others with respect to noncustodial parental kidnappings. Finally, the Center's January 15, 1985, report stated that Center personnel had provided technical assistance in 111 stranger abduction cases, not that it had "learned if" 111 cases.

5. "[John] Walsh, a former sales and marketing executive with a hotel in the Bahamas, is the \$49,000-a-year chief technical advisor to the Center and makes frequent public appearances" (Page 3, paragraph 4).

Mr. Walsh has not been on the Center's staff since last fall. Moreover, the reasonable reader of this statement is led to believe, falsely, that the Center wastes substantial funds employing persons not trained in the field of child abduction.

6. "Walsh and Howell serve on Otto's [Find the Children] advisory board" (Page 7, carryover paragraph at top).

WEBSTER, CHAMBERLAIN & BEAN

Mr. John E. Gill
May 24, 1985
Page three

7. "Howell invited five members of Child Find to a Huntsville, Texas, conference on missing children in December, 1983. All other organizations were permitted just one representative. Officials at the National Center then invited Child Find's Founding Director, Gloria Yerkovich, to a White House reception last June honoring the Center's opening" (Page 9, paragraph 1).

Mr. Howell has not been a member of the Find The Children board since the establishment of the Center. Further, Mr. Howell did not invite five members of Child Find to the December 1983 conference. Finally, Mr. Howell does not invite anyone to a White House function. The reasonable reader of these statements would conclude, again falsely, that the Center and Mr. Howell "play favorites" and have a "connection" with an organization which the author finds to be unscrupulous. The implication is that, if Child Find is unscrupulous and not deserving of financial support, so too is the Center an entity which should not be publicly funded.

8. "Other questionable items in the Center's budget include \$85,000 to the A.B.A. to update and reprint a booklet on parental abduction" (Page 10, paragraph 5).

This false statement is, again, calculated to convince the reasonable reader that the Center is inefficient and wasteful.

The Center's effectiveness in combatting the national problem of child abduction is dependent upon its reputation as an efficiently and fairly operated organization. If published, the falsehoods contained in the enclosed paper would seriously undermine the Center's credibility and, therefore, its ability to accomplish its stated goals. If the paper is disseminated further following your receipt of this letter, the Center will be forced to conclude that you are continuing to act with knowledge of the falsity of the paper's contents or, at a minimum, with reckless disregard of the truth or falsity of its contents.

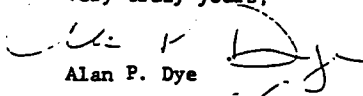
WEBSTER, CHAMBERLAIN & BEAN

Mr. John E. Gill
May 24, 1985
Page four

Accordingly, we request that you confirm in writing to the undersigned, within ten (10) days of receipt of this letter, your intention not to disseminate further the enclosed paper. Moreover, you should, in that confirmation, indicate whether and, if so, to what extent and to what recipients the paper has already been disseminated.

We appreciate your attention to this matter and trust that it may be resolved in an expeditious fashion.

-Very truly yours,


Alan P. Dye


C. Michael Deese

CMD:ip

Enclosure

GEORGE D. WEBSTER
 CHARLES E. CHAMBERLAIN
 J. COLEMAN BEAN
 ARTHUR L. HEROLD
 ALAN P. DYE
 BURKETT VAN KIRK
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June 4, 1985

CERTIFIED RETURN RECEIPT REQUESTED

Mr. John E. Gill
 Children's Rights of New York
 19 Maple Avenue
 Story Brook, New York 11790

Dear Mr. Gill:

We understand that you are in receipt of our letter dated May 24, 1985, in which we pointed out a number of false statements contained in a manuscript bearing your name. Since the writing of that letter, it has come to the attention of our client, the National Center for Missing and Exploited Children ("the Center"), that you have indeed disseminated such false and damaging information about the Center to a number of persons and entities.

Again, you are certainly entitled to express your opinion of the Center's efforts to address the problem of child abuse and exploitation, but you are not entitled to advance and bolster that opinion in public by using false and defamatory statements of purported fact. We have been asked by the Center to inform you that the Center will hold you personally responsible for any damage suffered as a result of your dissemination of such false and defamatory material. Further, we have reason to believe that you have communicated this misinformation to at least the following entities and persons: The Child Protection Report, The Nation, The Village Voice, Nevaday, members of Congress and their staffs, a journalist with the ABC network, and journalists with other news organizations.

The Center hereby demands that you cease publishing and otherwise disseminating false information of the type outlined in our letter of May 24, 1985. Further, we reiterate our demand that you inform us by June 7, 1985, of your future intentions and of the identities of all recipients of misinformation. Should you fail to respond, we will be forced to conclude that your statements were made, and will continue to be made, without regard to their truth or falsity.

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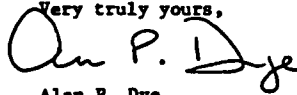
WEBSTER CHAMBERLAIN & BEAN

Mr. John E. Gill
June 4, 1985
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Finally, the Center has reason to believe that you have, in the course of an interstate telephone conversation, represented falsely that you are employed by or otherwise connected with the Center. We are informed that the apparent purpose of that misrepresentation was to gain access to information concerning the Center. The Center finds such conduct, if it occurred, to be both morally reprehensible and potentially unlawful. We would urge you to give careful consideration, perhaps even in consultation with your counsel, before making similar attempts in the future.

We look forward to your response on or before June 7, 1985.

Very truly yours,



Alan P. Dye



C. Michael Deese

APD/CMD:ob

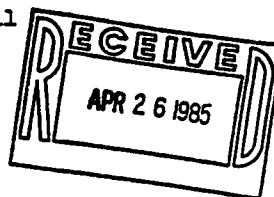
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First Rights
2,500 words

Does The Reagan Administration
Really Want To Find Missing
Children?

by

John E. Gill



Federal Express
1149-1166-6

Gill -1-

Does The Reagan Administration
Really Want To Find Missing
Children?

by

John E. Gill

While both the Senate and Justice Department oppose laws to make the Government find parentally-abducted children, they voted funds last year to support private missing childrens agencies with no law enforcement or investigative powers to look for such children.

This stance points up a conflict within the conservative, law-and-order, domestic budget-cutting Reagan administration. The White House and various senators have expressed concern for the problem of missing children, but appear either to know nothing about finding children or else callously plan to ignore solutions to the problem in order to capitalize on public awareness of it.

Some of the better known private agencies, who are line to receive federal monies, also do not favor stronger laws. Such groups as Child Find, of New Paltz, N. Y., the Adam Walsh Child Resource Center in Fort Lauderdale, Fla., and the American Bar Association actively supported federal legislation to provide funding to groups like themselves.

Bills to make child-stealing by parents a federal misdemeanor have withered in the House of Representatives for the

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past several years. These bills were not even introduced into the Senate last year. However, senators like Paul Hawkins of Florida, Arlen Specter of Pennsylvania, Jeremiah Denton of Alabama, Bill Bradley of New Jersey, Paul Simon of Illinois and others publically led the fight in passing the Missing Childrens Assistance Act last fall. This Act makes available ten million dollars a year for the next four years to private, non-profit organizations dealing with missing children.

At the same time, the Justice Department's Office of Juvenile Justice and Delinquency Prevention last spring created a new, non-profit agency which will deal with missing children. But the National Center for Missing and Exploited Children, funded with a \$3.3 million grant from OJJDP, cannot investigate child abductions, cannot arrest alleged abductors, cannot apprehend runaways and ^{then} counsel/to return home. It has no subpoena powers, cannot enforce custody orders, and doesn't support bills to make child stealing by a parent a federal misdemeanor.

"If you examine, on a case-by-case basis, these situations, you'll find it's not the laws that need to be strengthened, it's the law enforcers," said Jay Howell, the \$45,000-a-year executive director of the civilian National Center.

Justice's opposition to tougher laws surfaced during a Senate hearing on January 30, 1980, on a proposed law introduced then by Senator Malcolm Wallop of Wyoming. Wallop's bill would have made parental child-stealing a federal misdemeanor.

Lee Colwell, executive assistant director of the F.B.I.,

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said the Justice Department opposed Valley's bill because it would divert federal agents from investigating other crimes.

"Our experience in fugitive-type investigations leads us to expect that approximately 160 additional agents would be needed to investigate 5,000 parental kidnapping matters," Colwell said.

Now, at the National Center, instead of those extra 160 F.B.I. agents, there are approximately 35 civilians with little ⁽¹⁾ or no experience in finding children and no law enforcement powers.

Another conflict within the Reagan administration is the Justice Department's decision to ignore its own figures on abducted children. The National Center last summer distributed ⁽²⁾ a brochure which said between 50,000 children and 20,000 children are abducted annually by strangers.

But officials there have changed that figure several times, without explanation. Since a 1981 Congressional hearing, John Walsh has said that 50,000 children are abducted each year by strangers. Walsh, a former sales and marketing executive with a hotel in the Bahamas, is the \$49,000-a-year chief technician ⁽³⁾ advisor to the Center and makes frequent public appearances.

That 50,000 figure is in the TV-movie "Adam", about his six-year-old son who was kidnapped and killed in Florida during July, 1981. Walsh also heads the Adam Walsh Child Resource Center, which claims in its literature that 50,000 children are taken by strangers annually.

But John Babun, deputy director of the Center, was quoted in the July/August issue of The Single Parent magazine last summer as saying that from 5,000 to 10,000 children are abducted

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annually by strangers. Another National Center official told Newsday in July that between 1,000 and 10,000 children are carried off annually by strangers.

This past February 17th, Howell told Elene Barth, Newsday's "Viewpoints" editor, that between 4,000 and 20,000 children are victims of stranger abductions each year.

But the F.B.I. has much lower figures. Oliver Revell, assistant director of the Criminal Investigative Division of the F.B.I., testified before a Senate hearing on February 21, 1984, that there were 68 children kidnaped during the first 11 months of 1983. Revell said there were 49 abducted in 1982 and 35 taken in 1981. These figures were for children abducted by strangers.

A press official for the F. B. I. said recently there were 201 persons kidnaped in 1984. He couldn't break down those figures into how many were adults, adolescents or children.

Even the National Center's own quarterly reports contain low figures. Its third report, dated January 15, 1985, mentioned that it had learned of just 111 stranger abductions in 1984. Yet not all of those children were abducted last year. The Center's "Abducted Children Directory", published in February, had pictures and descriptions of 80 children who had been taken by strangers. (4)

Yet only 18 of those children were carried off in 1984, and four of those 18 were over 14-years-old. Some children in its directory were taken as long ago as 1974.

The Center's summer brochure published figures which said between 25,000 children and 500,000 children are abducted annually. (6)

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by their parents. During Congressional hearings in 1980 there were estimates that between 25,000 and 100,000 children were abducted by their parents yearly. The Center doesn't say why it has raised those estimates.

The actual number of parentally-abducted children reported to both the Center and F.B.I. also is very low. There were 1,182 parental abduction cases reported to the Center from April, 1984, to December 31, 1984, the first nine months of its existence.

When Revell of the F.B.I. compiled his figures for stranger abductions, he also counted the number of complaints received involving parental abductions in the first nine months of 1983. He said there were 791 complaints. There were 608 complaints in 1982 and 743 complaints in 1981.

There were 1,503 complaints on parental abductions received from fiscal year October 1, 1983, to September 30, 1984, an F.B.I. press official said recently.

An indication of how the Reagan administration approaches missing children comes from a close look at the National Center's OJJDP-approved budget. One of the Center's first moves was to award a contract to film producer Linda Otto to make a one-hour documentary for television on the sexual exploitation of children. This contract will cost the taxpayers \$250,000 and was signed without open, competitive public bidding.

Robert O. Heck, program manager for the National Center at OJJDP, defended such a closed agreement in March, 1984. He said, "A competitive bid would likely bring a more inferior product. It is unrealistic to expect an unknown production company to be

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able to develop the years of experience that Linda Otto and her associates have in these issues."

Yet there have been at least five other television documentaries recently about the sexual exploitation of children, some aired on national networks like NBC and PBS.

Otto, the wife of TV producer Alvin Landsburg, produced the movie "Adam". The film has been aired twice by NBC and is scheduled for a third showing on April 29th. It gives little mention to children abducted and concealed by their parents and ignores efforts by lawmakers like Wallop.

Bills similar to his have been introduced in the House of Representatives since 1980 by Representatives Charles Bennett of Florida, James Sensenbrenner of Wisconsin and Mickey Edwards of Oklahoma. Only Edwards plans to introduce a federal parental abduction bill in this session of Congress.

Recently Otto, who has organized fundraisers for Child Find, said that "Adam" had found children. "Twenty-four missing children have been located because their pictures were shown at the show's end," she said. "There are a thousand more leads that must be followed."

When pressed for details, however, she became philosophical. "Since Find the Children was not responsible for manning the '800' lines which handled the incoming calls, it is difficult for us to know the specific circumstances surrounding each 'recovered' case," she said.

Otto spent the night at Child Find's headquarters after "Adam" went on the air the first time. Find the Children is a

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not-for-profit charity organized by Otto and Landsburg in Los Angeles. For some time, beginning in January, 1984, it supplied ABC with pictures of missing to be aired on stations in several large cities. Find The Children took pictures from all groups, but only gave out Child find's phone number over the airwaves. Walsh and Howell serve on Otto's advisory board.

Last summer one of the technical advisors at the National Center said he felt that massive public awareness was the answer to the problem of missing children. And Deputy Directory Rabun, who makes \$40,000-a-year, said, "The most effective tool for locating missing children is the use of pictures and posters which the Center will need to duplicate for media release."

Accordingly, the Center has been showing pictures of only stranger-abducted children on ABC's "Good Morning, America" every week since last October. More pictures of missing children will be aired again after the third showing of "Adam".

Such pictures were shown after the first two airings of the movie with little success. There are no figures on how many children, if any, were found after the first showing on October 10, 1983. But after the second time "Adam" was aired, on April 30, 1984, approximately ten children were found.

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"Adam" cost three million dollars to produce and was two years in production. It cost about \$34,000 alone to operate 40 toll-free phone lines after the second airing to receive calls of reported sightings of missing children.

In contrast, three small private agencies — in Oklahoma, Florida, and California — have helped find nearly 400 children over the past several years with far less money.

Oklahoma Parents Against Child Stealing, headed by J.C. and Angela Kincaid of Bartlesville, Oklahoma, for instance, has helped find about 60 children with a two-year budget of around \$7,000.

Children's Rights of America, run by Kathy Rosenthal in Largo, Florida, assisted parents in finding and recovering ^{alone} approximately 75 children last year on a \$29,000 budget. Rosenthal said her 1983 budget was around \$10,000 and that since the fall, 1982, she's help find about 200 children.

Georgia Hilgeman, executive director of the Vanished Children's Alliance in San Jose, California, has assisted in finding about 150 children since 1980. Her annual budget is around \$7,000.

These agencies helped find parentally-abducted children through routine detective work and never enjoyed "massive public awareness" on national television and in national magazines.

In approving the National Center's board of directors and staff, OVJDP evidently ignored the Center's connection to Child Find, which was investigated by New York State last year and found to have misrepresented itself. Child Find had enjoyed wide media coverage — especially on "Good Morning, America"

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Gill. -9-

and in The Ladies Home Journal, McCall's, Reader's Digest and People magazine — but found few, if any, children. Walsh (9) and Howell, from the Center, plus Senators Hawkins and Simon, attended a major fund-raiser for Child Find in New York City on May 25, 1983. Several members of the Center's board of directors, including officials from the American Bar Association, have worked closely in the past to raise money for Child Find and get it on television. Alan Landsburg has given at least \$25,000 to Child Find.

Howell invited five members of Child Find to a Huntsville, (9) Texas, conference on missing children in December, 1983. All other organizations were permitted just one representative. Officials at the National Center then invited Child Find's Founding Director, (10) Gloria Yerkovich, to a White House reception last June honoring the Center's opening. This reception was held, after New York State released findings of its investigation.

Robert Abrams, New York's Attorney General, said Child Find had led people to believe that it actually located and recovered missing children when, in fact, it was only a registry of missing children and a referral service for parents looking for their youngsters. Child Find charges \$60 to register a child. No other agency does that.

Abrams said Child Find also promised to publish a directory of missing children and to distribute it nationally. "Child Find's directory is not updated regularly, as the organization promises," he said. "It (the directory) also is not widely distributed, as the organization claims, but is sold to whomever orders it."

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Abram's office and Child Find signed a consent judgment on May 29, 1984, in which Child Find agreed to contact all parents who registered their missing children since January, 1982, offering to give full or partial refunds of that \$60 registration fee to those who did not receive the services they were promised.

So long was Child Find's shadow that Walsh, Otto and NBC agreed to refer callers to Child Find after a public service announcement at the end of "Adam" when it was shown the first time. A similar public service announcement after the second showing referred callers to the Florida Department of Law Enforcement in Tallahassee, Florida. The National Center's number will be shown after the third airing of "Adam".

The Justice Department has further complicated matters by agreeing to give the Center about \$300,000 more over the next two years to hire extra telephone operators to handle its "800" toll-free number and to extend phone service to Alaska. Such additional money will come from that Missing Childrens Assistance Act and was approved by Heck in October. (11)

At the same time, however, Heck has told other groups, like Kincaid's OPACS in Oklahoma, that monies from the Act will not be available until the summer.

Other questionable items in the Center's budget include. (12)
\$85,000 to the A.B.A. to update and reprint a booklet on parental abduction. The ABA had a \$200,000 grant from the U. S. Department of Health and Human Services in 1981 and 1982 to research and produce just such a booklet. It contained child stealing laws in all states and listed private groups which helped parents.

Gill -11-

Child Find was among those groups, as was a bogus group on Long Island set up by a single attorney to snare clients.

The Center has budgeted \$115,000 for a national conference on missing and exploited children, but has scheduled and cancelled such a conference three times. The new date is for sometime in 1986.

A number of small private agencies around the country feel the National Center's opposition to a stronger federal parental abduction law, its loose and fluid statistics, its Child Find connections, and its concern for stranger abductions and publicity will lead it to ignore the far greater problem of parental abductions. Still treated as "family matters" by many law enforcement personnel, such abductions require much time, patience and skill and are not as sensational as stranger abductions.

Leaders of these small groups are puzzled by the actions of ^{like} senators/Hawkins and Simon who helped raise money for Child Find and who helped pass that Missing Childrens Assistance Act. They question the commitment of those senators and of the Reagan administration, a commitment personified by the creation of that National Center with its hazy priorities, vague statistics and possibly wasteful budget allotments.

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John Gill is the author of Stolen Children, a non-fiction book about parental child-stealing.



(IN SEARCH OF MISSING CHILDREN)

P.O. BOX 4362
ALLEN TOWN, PA 18105
(215) 437-2971

17 July 1986

The Honorable Dale E. Kildee
Subcommittee on Human Resources
Committee on Education and Labor
U. S. House of Representatives
Washington, D.C. 20515

Dear Congressman Kildee:

Mr. Chairman, thank you and the Committee for the opportunity to address the following issues.

It has been some time since the passage of the Missing Children's Assistance Act. How have missing children been assisted? They have been assisted by the formation of the National Center for Missing & Exploited Children. One could argue that the Center itself could do more, and that its services do not begin to meet the needs of missing and exploited children, but the service they do provide is valuable and necessary.

What else has the Missing Children's Assistance Act done? Across the country there are several dozen organizations that have sprung up to deal with the issue. Have they received any funds? No, not one cent. The National Center does not actively search for missing children. In the vast majority of cases law enforcement agencies, including the F.B.I., do not actively search for missing children.

The searches are conducted, and children are found, by the parents of these children and by small private voluntary organizations that are completely underfunded and exist primarily on private contributions. I am the founder and Executive Director of such an organization. We call it Children's Rights of Pennsylvania, because that is what the issue is really about. We are an activist organization, what people used to call a grass roots organization, sort of like the folks that get together when a house catches fire and people suddenly realize that the fire department isn't going to come.

We are working as hard as we can with whatever comes to mind, but we are also mad as hell. We expected you to be along with your fire truck and squirt some water on this fire. We don't mind fighting to save our children, or your children, from the nightmares of parental or stranger abduction or sexual exploitation, but we expect our elected officials, our government, to aid us in this endeavor.

You just spent a lot of our money celebrating the Fourth of July and the Statue of Liberty. I know, I watched it on television, it was very impressive. I watched it with my children. It was their first Fourth of July with me in four years. That's how long it took me to find them after their mother kidnapped them during a custody dispute.

Rec'd 7/23/86

The Honorable Dale E. Kildee
U. S. House of Representatives
17 July 1986
Page Two

Every day, even on the Fourth of July, my phone is ringing with calls from parents, and also from children. Many of them say "I called that National Center in Washington" or "I wrote to my senator or congressman and they told me you could help me." Yes, by God, I will do what I can and so will my associates. We will look for your child, we will talk to your lawyer, we will put your child's picture on a poster, we will, God willing, find your child. In the past three years we have assisted more than one hundred and fifty parents recover their stolen children. But, my phone rings every day. I, and hundreds of people like me across the country, need to have your assistance to continue what we are doing.

We need money to rent office space, to pay phone bills, to maintain full time staff, to print and distribute posters and fliers, to conduct training seminars for volunteers, private attorneys, law enforcement officers, prosecutors and others, to coordinate with police crime prevention efforts and educate children and the general public, to field investigation and to assist law enforcement investigators. We are going to keep on doing these things but with your help we can do a better job and create greater, more lasting results.

The children of this country are our most precious resource. Yet they are threatened today as they have never been before. The fabric of the family structure, the community and the nation is pulling apart. It takes more than a big July 4th bash to hold it together. It is the responsibility of government to protect the rights of the people. Children have rights, too. They have the right to be secure in their homes. They have a right to have their custody issues determined in a court of law, and for those judgments to be enforced.

They have a right to be protected from abuse or exploitation by adults, even when those adults are their parents or kin. They have a right to expect that those who steal them, abuse them or exploit them will be brought to justice and punished for those acts and that they will be protected from those individuals in the future.

Respectfully,



Thomas Watts
Executive Director

TV:vrn



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TESTIMONY FOR THE
SUBCOMMITTEE ON HUMAN RESOURCES
OVERSIGHT HEARING

IN RE:
THE IMPLEMENTATION OF
THE MISSING CHILDREN'S ASSISTANCE ACT

"Search", the common misnomer by which we have become known, came into being as an operational organization in the first months of 1980. We were endowed by the donations of individuals who were concerned with establishing a simple methodology for distributing information on runaway juveniles to Law Enforcement agencies, Medical Facilities and Selected Social Services throughout the country. Since there was no active system of uniform information dissemination of this kind, it was felt that a major void could be filled by incorporating many photographs and descriptions in a magazine format with wide distribution to those who could identify, report, assist or detain minors whose whereabouts were unknown to their families.

Distribution was free to recipients and a modest charge, usually paid by the family of a missing individual, covered the costs of preparation, printing and mailing the magazine. From the 9,000 copies sent out in its first mailing to the present circulation of over 31,000 copies, the National Missing Persons Report has been a useful, effective working tool. Almost at once it became a vehicle for carrying information on individuals of all ages, from infants to octogenarians, not just missing juveniles. The Report also contains photographs, fingerprint and other data on unidentified bodies in an attempt to put a name to an unknown and end family uncertainty, should a family exist or care. In both assisting to locate the missing and identify the unknown, the Report has done a workman-like job and earned the respect of those who receive it.

Incorporated as non-profit in New Jersey, we send our Missing Persons Report to all 50 states, U.S. Possessions and to some locations in Canada.

At no time during its existence has "Search" paid a salary to anyone nor returned any monies to those who initially endowed it. The agency subsists on modest contributions, the fees charged for publishing and distributing data nation-wide and on the help of volunteers. We operate in quarters donated for our use and on additional "in-kind" contributions of some services or materials. We live on a frayed shoe-string.

Exclusive of the fees which cover the entire cost of the Missing Persons Report, the expenditures of the agency have never exceeded \$10,000 per year. And while the charges for producing and mailing the Missing Persons Report have escalated dramatically over the last years, the fees for case inclusion have not.

For a pointed cost comparison, it would be possible for us to prepare, print and mail four to five complete issues of the Report without charging a cent to anyone for the amount of money paid by the National Center to two of its in-take phone personnel for a full year.

In the course of a year, "Search" will deal with some 1,500 individual cases in correspondence, on the phone or for publication. The situations will involve people of all ages: runaways, custodial snatchings, unexplained disappearances, those with physical or mental disabilities and family problems where no custody has been granted but individuals have gone off. We also receive many inquiries about locating long-lost relatives, friends, birth-parents and other problems of people who have lost contact with one another. Requests for information and for printed material average about 1,000 contact per year.

We have published material on cases which ended in family reunions as well as final, tragic answers. In some instances, locations have been published without reconciliation. If nothing else, there were no longer any fearful lingering questions in these instances. Our most striking success is the initial possible identification, subsequent confirmation and ultimate reunion of a family with a son who had been missing to them for eleven years, with no contact of any kind.

We fail, too. Despite the many local, state-wide and national follow-ups that each issue of the Report will generate throughout the country, many cases stay "open". We certainly do not have a 10¢ answer to a \$100 question. Police and Sheriff's Departments across the country tell us of receiving phone calls that relate to published cases in which investigation does not result in solutions. Each issue of the Report does generate a high level of activity as Enforcement personnel respond to most of the published cases.

If the word of those who receive the Report and those whose names appear with individual case histories can be believed, we have done a fair and honest job with a minimum of money, a good deal of sacrifice and no compensation whatever, in terms of money.

During our early years of existence, we saw the growing manipulative and entrepreneurial use of unsubstantiated statistics of all kinds concerning harm to children. Sparked by a number of real and terrible tragedies...without question, devastating and beyond limits of personal recovery...the claims for kidnapping, child murders and worse were extravagantly escalated to advance the "cause" via media attention.

Quite literally given a free forum to prattle endlessly, individuals and agencies became very hot media items. Babble-show hosts permitted their new "stars" to establish as valid data certain statistics that rival Viet Nam casualty rates. This was accomplished through simple repetition. 50,000 children were abducted by strangers every year. 5,000 murdered and minced children's bodies went into unmarked graves annually. Parental child-snatching cases numbered increasing thousands until one "guesstimate" came in at close to three quarters of a million episodes per year. 60% of all perpetrators in custodial cases had felony records.

Strangely, no one seemed interested in questioning sources or validity of these terrible totals. If anything, their use was encouraged as victims were billed as experts and the appalling numbers were drill into public consciousness.

But were these statistics real? During the how and cry they were certainly accepted as facts. Didn't the numbers continually appear in print? Weren't they constant fodder for television? Wasn't Congress presented with a parade of witnesses in a well orchestrated recitation of testimony, much of it from victims with stories of personal tragedy, all intoning the same numbers?

Some of the testimony had a curious side effect. Many of those who used the frightening claims in their testimony promptly proceeded to legitimize their statistics by saying the "facts" could be found in the Congressional Record. How much more validity could anyone want?

No one asked for validation. And the public was scared silly.

This was a huge disservice because those claims were no more "facts" than than now. They were false, a hoax, although many who used them undoubtedly believed them to be true. Some who cited them had to know they were hogwash. A few who knew the data for what it was helped to mix the hogwash for effect. Others, with even less conscience, began quoting the cuckoo numbers to enhance the sales of gizmos, gimmicks, registration plans, booklets, fingerprinting kits, games and other goodies. Some of this unfortunate practice still continues.

What, then, was the truth? It certainly was not 50,000 stranger abductions per year.

In August of 1982 we published an analysis of this claim in our Missing Persons Report, breaking down the number to apportion it into easily understood units of population and giving specific examples of how this would affect individual city case loads. The analysis was very simple. If 50,000 kids were being scooped up by strangers annually, that boiled down to one child for every 5,000 persons in the United States. And that was supposed to be happening each year.

We were criticized for publishing this particular piece because it might have an adverse impact on pending Federal legislation concerning missing children.

Truth, it would appear, was inimical to the "cause" and good marketing practice even though the absurdity of one person in 5,000 vanishing year in and year out should have been patently obvious.

Did we ever have 5,000 children going into John or Jane Doe graves each year as the victims of abductors who abused, mutilated and murdered. No. Most emphatically, no! Even during the peak of activity on the part of known serial killers and the tragedies of Atlanta, we did not have this kind of number of unidentifieds of all

all ages. Now, with firmer data in hand, we know that during the course of a year somewhere between two to three thousand bodies of all ages will be found in the United States. Death will be due to a variety of causes. Approximately 10% of this total will be under the age of 18. The overwhelming preponderance will be in the age bracket of 18 on up to about 27.

Mark this well: you will find tragedy here, not denial. Death by drowning, fire, vehicle, hunting accident, natural causes and homicide. Many certainly untimely and some probably avoidable. But hardly a national landscape bloodied with the bodies of unknown, murdered children.

Only one number can be accepted in talking about murdered children: Zero. And no one that we know believes that a single case of harm to a child should be dismissed. No one.

But a Federal response to 50,000 abductions and 5,000 presumed unknown victims ...the presumed "best estimates" of the time...was considerably off the mark. We cannot believe that everyone was so wrong in accepting these "best estimates" without reservations. Now, according to the National Center's own data, they have not been able to come up with so much as 10% of these horrendous totals even when they incorporate cases that go back many years and include situations that investigations have clearly established as accidents rather than abductions.

When someone points out the disparity between past claims and current records, we have seen the National Center respond with an aggressive and specious answer concerning this country's response to numbers of people who might be held hostage in a foreign country.

It would be equally contrived to ask what the national response has been to the death of 4,000 children per year in auto accidents. Or the death by drowning of 300 and injury, some of it permanent, to an additional 3,000 children in home swimming pools. Now about the 79 cases (as of this typing) of children who have fallen out of windows in New York City this year.

What happened to the comprehensive incidence studies that were mandated (1)? What prevents some reasonable projections based up years worth of accumulated data available through a variety of sources? We have a tax-supported, multi-million dollar project to provide answers yet we don't have them and remain unclear as to the nature of the problem the country faces. Still they treat us to complaints about numbers.

Associated Press, in a story published a couple of weeks ago quotes Mr. Howell in a splendid double redundancy. "In 1983, the problem suffered from over-exaggeration and inflated statistics". This was followed by, "In the last 18 months, the issue has suffered from underestimation."

First the sky was falling down but when it reached the ground it created so much fog that we still can't tell which direction to travel in.

Most people, we believe, would determine the nature and extent of a problem prior to offering up a solution. With the National Center's creation and all that has ensued from it as well as OJJDP, we have a complete reversal of normal procedure. The answer was provided before the problem was defined. Now it seems that a process of catch-up will be necessary.

The only report that we have seen which might fall under the mandate (2), "An Evaluation Of The Crime Of Kidnapping As It Is Committed Against Children" (3), combines statistics of two cities in 1984 (269 cases), the Center's own data covering 1979 to 1985 (212 cases), with "News Reports and Other Sources from 1979 to 1985 (818 cases). This last item was described by the Center as, "...not collected in a systematic fashion. Reports were sent by individuals from all over the country."

This "unsystematic" accumulation was 63% of the data base on the crime of kidnapping. In the bar graph included in this report to show the age of victims, approximately 215 of the 1,299 cases were "Unknown Age".

This is research to define a problem?

- (1) - MCAA, Sect. 404 (b) (3)
- (2) - Ibid
- (3) - NCMEC Report, March 1986

The matter of numbers has been the bane and torment in the controversy over missing children. Certainly the use of widely differing statistics has confused the issue, muddled public perceptions and given rise to doubts about the reliability of any data used. We also suggest that the term, "children", has blurred meanings considerably. In our own empirical questioning, we have found that most people think of "children" as little kids, not youngsters in their teens. As a result, any figure concerning the annual number of "children" reported missing has been misunderstood. While we do not disagree with the estimate on this total, we believe that its impact has been totally out of touch with the way the public reacts to it.

Another major sticking point in understanding has been the redefining of non-family abductions and a clear explanation of the nature of this crime as the Center now applies it to statistics.

NCMEC personnel has said that people do not understand the problem of abduction. We'd agree. Most people will interpret "abduction" or "kidnapping" as the taking and holding of a victim over a period of time that has never been well defined in duration. When a person has been detained for moments or minutes, that should be considered an abduction according to the Center's reading of the law and nature of offense. It should not, as commonly practiced in reporting the episode, be deemed as some other offense, usually sexual in nature. This, then, constitutes the NCMEC definition of abduction now being applied to their statistics.

So be it. Now let this be explained with candor and in detail so that the public does not continue to think of abduction as the long-term disappearance, particularly in the case of small children.

And if the crime of abduction is to be applied to the holding of an individual, no matter how briefly, against his or her will, then let us use this standard in all situations rather than those covered by the MCAA mandate (4). This would then add the charge of abduction to all cases involving non-negligent homicide, rape, assault and robbery...literally any case involving a period of "captivity" no matter how brief...applying it equally to all individuals, regardless of age.

As things stand now, the selective and almost exclusively internal definition of abduction as used by the Center for its statistics can only continue confusion and indulgence in the numbers game. "Inflated" or "underestimated", we have been treated to a comparison of apples, oranges and some unidentified material to produce the affect of stewed prunes. Anyone wanting to end the numbers game had best stop playing games with numbers to make them match expectations.

Existing data does provide at least a solid foundation to examination of what dimension the national problem has. As an example of this we have attached our own analysis of 1985 data from NCIC statistics. In this material we have both the total of national utilization of this computer system and New Jersey's use for reporting missing people, regardless of age. (5)

It should be noted that New Jersey has a State Commission on Missing Persons in the Attorney General's Department, a State Police Missing Persons Unit and active, investigative Missing Persons Sections now functioning in most of the State's 21 Counties. All Police Departments operate under a directive from the Attorney General that makes it mandatory for all Departments to accept, on the spot, all reports of missing minors without respect to cause. No waiting period.

If any state in this country can be held up as a model for efficient use of the NCIC system on missing persons, it will be New Jersey. Consequently, the third item in our analysis, a projection of potential NCIC totals based upon New Jersey's share of population should be a reasonable basis for comparison of the actual utilization of the system. The projections on entries for "All Ages" and "Juvenile" do indicate under-reporting in the system. No one familiar with NCIC usage would dispute that under-utilization exists. But the comparison of actual national use and the projection on New Jersey's model does not indicate as large a gap as some would have us believe.

- (4) - MCAA, Sect. 403 (1) (A) and (B)
- (5) - Search Reports, Inc., Analysis of 1985 NCIC totals

"Juvenile" in these figures represents the deduction of anyone under the age of emancipation from the total of "All Ages". The sub-categories of "Endangered", "Disability", "Involuntary" and "Catastrophic" do not identify other cases but rather define some of those cases within the totals. We should call your attention to the fact that projections based on New Jersey's data cannot be regarded as reliable. To project on very small numbers invites distortion, although only one of the projected sub-categories, "Disability", appears to be badly skewed in comparison to actual utilization of the NCIC system.

We should also point out that NCIC functions as an informational tool, not as a system for statistical analysis. Because of this, the number of "Juvenile" cases in the sub-categories cannot be broken out of the overall totals.

Imperfect as this analysis may be, it does provide a bench-mark against which claims can be compared. However, the inclusion of unknown factors such as homeless, "throwaway" or "pushout" minors can always be used to confabulate and be used to present the ever-convenient "As many as..." variety of statistic that has plagued this entire issue of missing children (or more precisely, minors).

In our view, the continued use of irrefutable non-facts such as, "As many as...", "Up to..." and "...estimated that...", has stampeded the public into believing that fingerprinting programs, safety instruction, video taping, registration plans and electronic gizmos would protect children. That these were not essentially protective measures certainly has not registered. The public perceives them as protective. Witness the use by businesses of fingerprinting and video taping programs as in-store promotions...sales events...while trumpeting the virtues of civic concern.

Tiny children, infants who do not have fingerprints that can be classified, get their digits inked to produce useless blobs on print cards. Well meaning social and civic groups have do-it-yourself printing programs that produce a sense of accomplishment that does not match the needs of intention of well done efforts. We have attended sessions like these and participated in professionally organized programs. They always sadden when we ask kids what they think fingerprinting will mean. The answer was always the same: prints would help to find them when (seldom "if") they were grabbed by a dreaded stranger.

Fear. Xenophobia: the unreasonable fear or hatred of foreigners or strangers.

We say this intense focus on stranger-danger has not just misled the public, it has, in a far more critical sense, placed children in an untenable position.

The overwhelming preponderance of data concerning all types of offenses against children...information available for years and growing continually...defines those who commit crimes against minors as anything but strangers. The grudging use of the euphemistic "Nonfamily" offender does not even come close to specifying who does what to children.

In one of its publications the National Center says (6):

"The term STRANGER suggests a concept that children do not understand and is one that ignores what we know about the people who commit crimes against children. It misleads children into believing that they should be aware of only individuals who have an unusual or slovenly appearance. Instead it is more appropriate to teach children to be on the lookout for certain kinds of SITUATIONS or ACTIONS rather than certain kinds of individuals."

We will heartily agree that the term "stranger" ignores what we know about the people who commit crimes against the kids. But the folder doesn't even hint at what "we know". The Center knows. Law Enforcement knows. Social and Medical Services know. Even "Search" knows.

Does the public know? Do members of this Subcommittee? Not from the literature that has come from the Center or other sources busily engaged in "protecting" children.

(6) - NCMC folder, "Child Protection"

Children who cannot grasp the concept of "stranger", who will think in terms of appearances: can they logically be expected to interpret actions and situations as the folder suggests? Heaven help the children.

A "stranger" normally means someone unknown. Perhaps in switching from "stranger" to "Nonfamily member" in describing crimes against children, someone was trying to send a subliminal message about perpetrators that would not offend. If so, the deed was accomplished too well. In semantic side-stepping truth was trashed.

The literature on offenses against children is replete with specifics on who does it. Information appears in material from Federal agencies and services, including the Department of Justice. It exists in profusion in public libraries and can be located with no effort at all.

Committee members should examine a major report dating from June of 1982, issued by the Centers for Disease Control concerning its findings in a study of four years of child murders across the country. (7) This unchallenged and almost totally ignored study brought some very significant findings into sharp, unhappy focus. Unfortunately, this study was never called to the attention of Congress during testimony and work that contributed to the creation and passage of HCA. It did not fit the orchestration. Nor has it been used for a resource since.

Among the study's more critical points was the fact that infants under one week of age were 3% of the national totals of homicide victims annually. Children in the age group of over one week to one year of age were 9% of the national share, 12% under one year old! Those in the age bracket of one year to eighteen were 9% of the national total, bringing the annual national rate to 21% for all homicide victims for the period studied.

"Strangers", the convenient scapegoat for all harm that befalls children, were responsible for 10% of these homicides.

The other 90% was apportioned to parents, step-parents, acquaintances, extended family members, neighbors and those whose identity could not be established or where evidence was insufficient to indict. Dr. Janine Jason headed the project.

As appalling as this data may be, it has the virtue of clarity in delineating who was responsible for crimes. The study reports its findings without resort to obfuscation or euphemistic issue ducking. Overwhelmingly, killers were family and non-strangers. Victim and perpetrator knew one another.

Application of the term "Nonfamily" would have skewed the meaning of this study by a massive 61%.

In literature from the Center purporting to offer advice on sexual abuse and exploitation, (8) the entire matter of perpetrators has been totally avoided. The omnipresent "Nonfamily member" doesn't even merit a cameo appearance. Good typography, expensive coated paper stock and the extra cost of color printing all combine to produce fine looking, low information level folders intended to educate and help protect.

Protect against whom?

Data from sources with adequate credentials (9) make the answer to "who done it" more than clear. As with the study from CDC, the offenders will be found primarily in the victim's family or circle of neighbors and other familiars...all the nice, safe, usual faces that children will be most likely to trust, with no regard to unusual or slovenly appearance:

No less than 25% of all child sex abuse occurs at the hands of household members. Should kids get into cars driven by people with whom they live?

No less than 75% of the sexual advances or abuse will be at the hands of individuals known to children or family. Should children avoid candy from strangers and accept it from those they know?

About one third of all this sexual activity takes place in the kid's homes. Now what? Make a scene, demand the family password and tell what happened to the nearest adult in the house?

(7) - CDC, "Child Homicide - United States, 7/11/82

(8) - NCMEC, "Child Protection", "Just in case...(a) sexual abuse or exploitation, (b) baby sitter", "For Camp Counselors", etc.

(9) - HHS (OHDS) 78-30161, FBI Sex Crime Course, NY Times 7/11/83

Superficiality under the facade of authority has been the hallmark of these publications intended to make people aware. "Aware", mind you, not "Alarmed".

Awareness through avoidance? Without substance?

We call the Committee's attention to the enclosed study, "The Paraphilia of Pedophilia", an encapsulation of available literature on pedophilia with highlights of each source. (10) This paper has the additional virtue of specifying the areas of the subject matter that lacks sufficient study and invites further investigation by researchers.

We call the Committee's attention to Page 3, Section F, "Cognitive Abilities". The author cites two studies to describe a pedophile's behavior and background. The second (Adams), making note that, "Comparing pedophiles with rapists, homosexuals, transsexuals, and a group of normal controls, pedophiles had the most conservative attitude towards premarital sexual relationships, reported less parental tolerance of nudity in the home, had had little or no discussion of sex in the home, had had less education about sexual matters during their childhood, exhibited the most discomfort in talking about sex, and had the least exposure to pornographic material during adolescence."

Interesting. The most depraved, child molesters, were also deprived when it came to pornography during their teens. That seems to fly in the face of much of what we have been hearing lately. We wonder who has the credentials to speak with reasonable authority.

Alan Price, the author of "Paraphilia" holds a Master's Degree in Psychology and this paper represents part of his work towards a Doctorate. Mr. Price is also Investigator Price, #314, Major Crimes Unit, Weld County (Colorado) Sheriff's Department, with an extensive background that includes homicide, sex/pornography investigations, missing persons and other areas of Law Enforcement that pointedly apply to the work under discussion by this Committee and the witnesses.

It would be most appropriate for Committee members to contrast this paper with the Center's publication on child molestation for Law Enforcement personnel (11) which totally eschews the critical matter of "who" in favor of exposition and generalization.

In evaluating the material that has emerged since the inception of the Center we would apply only one word: "Dreary". It has, through careful omission of much significant information, been a good deal less than informative. In a very similar fashion, the public presentation of the Center...its image, if you will...in handouts, in reports and in the words of those who have spoken for it have not dealt with effectiveness.

A count of telephone calls, overwhelmingly requests for information, does not indicate economical use of resources. Another record of called-in "Sightings" on missing children's cases that may or may not be passed along to the Law Enforcement agency with jurisdiction and which, if transmitted to the department of record, will not be verified as to value, does not indicate effective use of funds. Claims for "Of Assistance In Recovery" which can mean anything from sending a piece of literature to "Technical Assistance" on cases which have all been "classified" and cannot be described because of confidentiality leave us wondering how much of a bang we're getting for the bucks.

From the terrible totals on which the foundation of the Center was built to the small numbers accumulated to date, we wonder about the justification of the goals that were established. Certainly we have seen nothing to indicate that the intent of Congress in the MCAA has been met. In a Section by Section analysis, we have seen:

Section 403 - Not applicable.
 Section 404 (a) 1 - 5 - Not applicable
 " " 6 - Nothing
 " " (b) 1 - Not applicable
 " " 2 A, B, C, D - Nothing
 " " 3 - Nothing
 " 405 - Not applicable
 " 406 (all) - Nothing

(10) - "The Paraphilia of Pedophilia", Alan Price, Greeley, Colorado

(11) - Child Molesters: A Behavioral Analysis, NCMEC

In short, we have not been assisted, cooperated with, given technical help, funded, presented with programs or materials, received facilitation or aided in any way on anything that we do.

Save for a "thank you" response from Mr. Meredith in answer to our letter of welcome at the time of his appointment, we have received no reports, summaries or other communications from the National Center since February of this year. We have received packets of literature which, with one exception, duplicated several times over that which we had previously been sent.

Although nothing in NCAA that we can interpret as authorizing this particular type of program, we have been offered training in non-profit management, fund-raising, marketing and communications as well as related business matters in a Cooperative Agreement between OJJDP and the Institute for Nonprofit Management in conjunction with its subcontractor, the Adam Walsh Child Resource Center.

Nothing in this offering meets current needs or has not been made available to us through local sources and existing non-profit affiliations.

And while this agency has always dealt with cases involving individuals of all ages, adults as well as minors, we have never received a single referral for service or support on any kind of situation from the National Center.

Despite the specific wording of NCAA and without any attempt on our part to judge the intent of Congress, this legislation has meant absolutely nothing to us in any way.

Towards the goal of fulfilling the specifics on the NCAA mandate, making data more pertinent to the intent, improving the quality of information made available to the public, Congress and outside services, to reduce the expenses for redirection of them to other internal matters, for dealing with mandated areas of NCAA and other related legislation and for generally improving the quality of service to all missing, exploited and other "at risk" persons, we offer the following recommendations:

Recommendation 1 - That a general review of all "Nonfamily" abductions be made on the records of NCMC for (a) direct checking with local Law Enforcement having jurisdiction of each case to determine applicability of that designation, (b) verification of case status and (c) nature of assistance, if any, rendered.

Recommendation 2 - A specific review of "Nonfamily" abductions in which NCMC was "Of Assistance In Recovery" to determine if "Assistance" was participatory in effecting recovery or was limited to other activity.

Recommendation 3 - Redefinition of "Assistance In Recovery" as currently applied by the Center to eliminate such designation to any case in which "Assistance" does not involve participation that directly affects recovery in a substantive manner.

Recommendation 4 - That all existing data covered by the three previous recommendations be revised to reflect changes resulting from review and redefinition.

Recommendation 5 - That the Subcommittee review existing data from all sources that relate to the mandate of NCAA for purposes of comparison with NCMC publications to determine completeness and "full disclosure" of information on the basis of preponderance of known, adequately documented studies relating to kidnapping, abduction, abuse and exploitation of children

or

that the Subcommittee designate one member to chair a panel consisting of active Law Enforcement personnel, Medical and Social Service providers and private citizens with appropriate experience to perform this same function. No individual on this panel should have past or present affiliations of any kind with OJJDP, NCMC or other Federal law enforcement related service in order to avoid any suggestion of partiality.

Recommendation 6 - A request be made of the Attorney General under the provisions of the Parental Kidnapping Act (HR 8406, 1980,) to report to Congress:

- (1) - Data relating to the number of applications for complaints under Section 1073 of Title 18, U.S. Code, in cases involving parental kidnapping
- (2) - Data relating to the number of complaints issued in such cases:
and

- (3) - Such other information as may assist in describing the activities of the Department of Justice in conformance with such intent.

Recommendation 7 - The immediate funding and initiation of research to study and define the nature, frequency and implications of varying State laws on the problem of custodial interference, abductions and other definitions which may be applied to similar acts. With extant "best estimates" ranging from 25,000 to the area of 750,000 annual incidents of such cases and with this variety representing the largest volume of case-type calls to the National Center, it should be obvious that the subject area represents one of least information and significant activity appropriate to the NCAA mandate.

Recommendation 8 - The immediate implementation of Section 404 (a) (5) (D) to develop model programs for "aftercare"; treatment, counsel and other appropriate aid to families of the missing and to children victimized by abduction or exploitation.

Recommendation 9 - That model programs be examined and extended to encompass areas in which re-entry into a family situation so as to treat the family as a whole, not separate components, in all situations involving missing minors, abducted and exploited children.

Recommendation 10 - Elimination of the NCMC 800 Hot Line as a resource for requesting "information" or literature. This should reduce the costs of call-ins by 75 to 80%, as indicated by Center records concerning Hot Line utilization. Requests of this type do not need "Hot Line" service.

Recommendation 11 - An evaluation of "Sighting" calls on the NCMC Hot Line to determine (1) the percentage of such calls considered valid and subsequently transmitted for follow-up by the agency with jurisdiction or Department in the area of call-in, (2) the percentage of referrals to the agency with jurisdiction or Department in call-in area considered valid and worthy of follow-up by the recipients, (3) the average elapsed time between call receipt at NCMC, evaluation and referral to the appropriate agency.

Recommendation 12 - The immediate funding and initiation of research to determine intrafamilial sexual abuse as compared with extrafamilial sexual abuse for rates of incidence, psychological impact and demographic variations.

Recommendation 13 - The immediate funding and initiation of research to determine the extent to which sexual abuse in intrafamilial situations will be the causal factor in "voluntary missing" cases.

We have other recommendations that deal with a variety of problems concerning the missing that do not within the mandate of NCAA and would welcome the opportunity to present them.

In summation, "Search" has seen interest in missing children grow from concern to hysteria beyond dimensions of reality. Similarly, valid programs for care and protection have been magnified so as to be regarded by the public as "prevention". Hard and documented data, whether extant or totally lacking, has been replaced by telephone call counts and pious piffle. We would remind all those concerned with the problems of missing, exploited, abused and otherwise harmed children of the words of George Santayana, the American author and teacher:

"Fanaticism consists of redoubling your efforts when you have forgotten your aim."

Thank you.

Charles A. Sutherland, Trustee
For the Board of Trustees
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The Paraphilia of Pedophilia

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PEDOPHILIA

Overview

The behavior of pedophilia consists of an adult who repeatedly engages in sexual activities with prepubescent children (Curran, 1980). This paraphilia is different in psychological nature than an adult's attraction to older children who are post-pubescent (hebephilia). Even from within the definition of pedophilia, an ambiguity arises. There is no concise and clear operational definition of what is meant by "sexual activities." A review of the literature in this area reveals that sexual activities can range on a continuum from touching and the fondling of a child's genitals to full sexual intercourse by the pedophile with an infant child. Such overt behavior as exhibitionism and voyeurism are placed along the same continuum as fellatio and cunnilingus without a quantifying level of significance to the act.

Theories as to the causes of pedophilic behavior are interfaced with theories of incest, homosexuality, and other sexual dysfunctions. Existing theories focus explicitly on dynamics of male pedophilic behavior and exclude causations for the behavior of female perpetrators. Current theoretical frameworks attempt to examine this disorder from an intrafamilial and extrafamilial abuse perspective simultaneously. Thus many of the psycho-social dynamics appear to be neglected. Multivariant perspectives seem to be absent from the literature.

For the clinician legal and ethical issues seem to clash with such requirements as mandated reporting of all cases of pedophilia. The management of multiple children victims of a single pedophile raises questions of the clinician's ethical obligations to assist or seek assistance for the other victims.

Future research can contribute significantly to better operational definitions, more refined theoretical explanations as to the causes, more extensive diagnostic instrumentation, and clarification as to some of the legal and ethical issues arising from the treatment of this disorder.

I. MENTAL STATUS EXAMINATION FOR DIAGNOSTIC EVALUATION

A. Typical Presenting Problems

1. Most pedophiles are referred for evaluation and treatment by the judicial system (Finkelhor, 1984).
2. Strong denial on the client's part is likely to be exhibited as a defense mechanism against detection of his behavior.

B. Appearance, Kinetics, Speech

There is no material cited in the literature that would indicate that there exists any unusual mannerisms or irregularities in this category which would aid in identifying this paraphilia.

C. Mood/Affect

Acute depression is likely to be exhibited by the pedophile upon the detection of his behavior. The pedophile, being cognizant of his action, will generally express shame and guilt after the initial denial of his behavior (Curran, 1980).

D. Suicidal and Homicidal Ideations

It is commonly stated that only a small percentage of pedophilic encounters result in aggravated physical injury or death to the victim. It is necessary to say that aggression and sadism are inherent in the components of the paraphilia of pedophilia. In a situation in which the sexual partner is a child and comparatively helpless, injury may be inflicted in cold blood, in passion, or in panic (Kaplin, 1985).

E. Drug and Alcohol Use

Meyer (1983) reports that alcohol abuse is a common catalyst for this behavior.

The association between drug and alcohol usage is minimally documented in clinical literature describing their relationship to pedophilic behavior. The Diagnostic and Statistical Manual of Mental Disorder (1980) does however list alcohol intoxication as a differential diagnosis of pedophilia. A study by Rada (1976) reported that of 203 pedophiles at Atascadero State Hospital, 49% had been drinking at the time of the offense; 34% had been drinking heavily at the time, and 52% were classified as alcoholics. According to Rada (1976), these findings contribute to pedophilic behavior in two ways: First, alcohol disinhibits the pedophile in

the offense situation, and the social role of the alcoholic is such that it may minimize the accessibility of adult sexual partners and thus make children more attractive. Walters (1975) and Finkelhor (1985) also corroborate that usage of alcohol by pedophiles may be significant in the lowering of inhibitions and makes children more sexually attractive. Kevin Howells (Cook, 1981) provides a warning when using alcohol intoxication as a contributing factor in pedophilic behavior. He states that it may be that situational variables such as alcohol, life stress, and marital difficulty provide a more acceptable "vocabulary of motives" for offenses than do intrapersonal variables, and are consequently overemphasized.

F. Cognitive Abilities

His behavior is most often calculative, premeditated, and manipulative in order to maintain a repetitive pattern of conduct. He also found that 70% of the pedophilic incidents studied were premeditated. Sometimes the first incident was impulsive; however, subsequent incidents were deliberately sought (Gebhard, 1965).

The majority of pedophiles are moralistic, conservative individuals who are significantly guilt ridden as a result of their sexual activities with children. Comparing pedophiles with rapists, homosexuals, transsexuals, and a group of normal controls, pedophiles had the most conservative attitude towards premarital sexual relationships, reported less parental tolerance of nudity in the home, had had little or no discussion of sex in the home, had had less education about sexual matters during their childhood, exhibited the most discomfort in talking about sex, and had the least exposure to pornographic material during adolescence (Adams, 1984).

G. Common Defense Mechanisms

Denial: According to Sanford (1980) pedophiles active with children under the age of 9 years old deny 55% of the time, as compared to the 40% denial rate of molesters of older children. Aggressive pedophiles deny 68% of the time, whereas nonpedophiles deny only 40% of the time, and twice as many boy molesters deny as girl molesters.

Projection: The projection of responsibility onto someone else--victims or family or society--is another popular rationalization (Sanford, 1980).

Withdrawal: Pedophiles tend to have an immature, inadequate personality type and are likely to be

isolated from social contacts with adults (Mohr, 1964).

H. History of the Disorder

The three editions of the Diagnostic and Statistical Manual of Mental Disorders by the American Psychiatric Association reflect the ways in which the sexual behavior of pedophilia has been conceptualized. In the DSM-I (1952) pedophilia was categorized as sexual deviation and listed under "social personality disturbance." According to Meyer (1981), it categorically included individuals ill primarily in terms of lack of conformity with society and prevailing cultural milieu, not just in terms of individual's relationships and personal discomfort. The sexual deviation diagnosis, which at that time included homosexuality, was reserved for unusual sexuality that was not symptomatic of what were considered to be more extensive syndromes such as schizophrenia and obsessional reactions.

Pedophilia defined in the DSM-II (1968) was listed with the subgroup of sexual deviations under personality disorders and certain other nonpsychotic mental disorders. This modified listing in the DSM-II defined pedophilia in terms of sexual interests that preempted normal sexual activity and that were directed toward objects other than people of the opposite sex, towards sexual acts not usually associated with coitus, and toward coitus performed under bizarre circumstances (Meyer, 1981).

Currently in the DSM-III (1980) pedophilia is classified as a subcategory under paraphiliac disorders and not associated with sociopathic or personality labels. The DSM-III (1980) does mention that "paraphilias may be multiple or may coexist with other mental disorders such as Schizophrenia or various Personality Disorders."

"The DSM-III (1980) has paraphilia placed in a new and major classification, Psychosexual Disorders, which also includes gender identity disorders, psychosexual dysfunctions, and ego-dystonic homosexuality. The classified subcategories of paraphilia include fetishism, transvestism, zoophilia, pedophilia, exhibitionism, voyeurism, sexual masochism, sexual sadism, and a residual category for other disorders. To be considered paraphilic, the sexual activity must be characterized by preference for the nonhuman objects in achieving sexual arousal, by imposing sexual humiliation or suffering, or by sexual involvement with nonconsenting partners." (Meyer, 1981).

Specifically, pedophilia is defined as the "act or fantasy or engaging in sexual activity with prepubertal children as a repeatedly preferred or exclusive method of achieving

sexual excitement." (DSM-III, 1980). Additionally, the DSM-III (1980) specifies that "if the individual is an adult, the prepubertal children are at least 10 years younger than the individual." If the individual is a late adolescent, no precise age difference is required, and clinical judgment must take into account the age difference as well as the sexual maturity of the child. Arbitrarily, the age difference is established with the age of the victim being 10 years younger than the aggressor.

I. Age and Sex Ratio

The age structures in pedophilic behavior were found to be trimodal in distribution in a study by Mohr (1964). This study first indicated an adolescent group which was characterized by a "lag in psycho-sexual maturation and the decrease reflects a further development toward object choices which are longer socially disapproved." Mohr (1964) found that the adolescent pedophile ranges from about 6 1/2 years to 11 years. He states that "although it is difficult to differentiate, in the adolescent group, between those who will retain their sexual orientation towards children and those who will move to age appropriate involvements. . . ." Mohr continues to explain that statistically most adolescent pedophiles in fact move to more socially approved sexual partners.

From within the adolescent age group, Linda Sanford (1980) defined a specific category of sexual abuse involving the adolescent pedophile. She states that "the adolescent offender usually has not had enough varied sexual experience to choose child-molesting as the preferred sexual expression." She continues by explaining that "because the offender and the child most frequently know each other, the sexual abuse is often carried out during the course of a 'game.'" At this age the adolescent is described as being curious but ignorant of the consequences of sexual exploitation upon a child. He or she may be only marginally adjusted socially as be social isolates.

The mean age for the second group of pedophiles identified by Mohr (1964) were 35 to 39 years old. According to Mohr (1964), it is therefore not surprising to find that in the middle-aged group, where most of the adults are or have been married at the time of the pedophilic incidents, the relationship to their wives has become problematic and not only along the dimension of sexuality. Whereas the adolescent group could be characterized by a lack of psycho-sexual progression, the middle-aged group can be seen in terms of regression or substitution where adult relations have been problematic.

For the third group the mean ages were 55 to 59 years. According to Mohr (1964), several possible explanations might be attributed to sexual abuse by males in the older age group. Withdrawal from social interaction could be more easily observed in this group and that most sexual activity had ceased. The child victim's association with the pedophile adult in this group reflected that the adult took on the "grand-parental role." Abuse by the older age group often arose from play activities with the victim child. It is postulated by Mohr that the number of sexual encounters between children and adults after the age of 65 could simply indicate that "play" at later ages no longer becomes sexualized.

J. Sex of Pedophiles

The paraphilias of pedophilia has been perceived as a behavioral deviation exclusively acted out by males. A study by the National Center for Child Abuse and Neglect (1981) indicated that of 44,700 cases of sexual abuse reported by professionals in 1979, 17% of the child victims were boy, and that female adults had committed 13% of the abuse in the case of female victims and 24% in the case of males. Finkelhor (1984) reports that female pedophiles more frequently sexually abuse girls than boys.

K. Interpersonal Relationships

Interpersonal relationships between the pedophile and other adults is believed to be a significant variable. Donald Tasto (1980) classified these relationships into three types: These include:

Type I pedophiles. These individuals are unable to interact socially with women because of anxiety or social deficits, or both. These individuals are sexually aroused by both normal objects and children.

Type II pedophiles. These individuals can interact socially with adult women but are unable to become sexually aroused by them. They are sexually aroused only by children.

Type III pedophiles. They cannot interact socially with women and are unable to become sexually aroused by them. They are sexually aroused only by children.

Tasto's typing of pedophiles does not account for the interpersonal relationships of female adults who exhibit pedophilic behavior. Clinicians agree that pedophiles have difficulty forming and maintaining social relationships. Additionally, pedophiles are generally perceived to behave unassertive and inadequate fashion. Mohr found

in his case studies that the pedophile tends to have an immature, inadequate personality type and is likely to be isolated from social contacts with adults. In a study by Gibbons (1973), he found pedophiles as being usually regarded as inhibited, moralistic, and guilt ridden. He further describes pedophiles as being timid, retiring, and also unassertive.

L. Associated Axis III Features

There are no generally reported neuropathological findings in the paraphilias. A few studies have reported an association between paraphilia and a mixed group of conditions with histories of head injury, grand mal seizures, mild mental retardation, mild ventriculomegaly, and Klinefelter's syndrome. Those reports come from a skewed sample of impulsive, sociopathic individuals who were identified through the legal system and who are not representative of the total group of the sexually deviant (Kaplan, 1985).

M. Common Differential Diagnosis

Paraphilia shares much common ground with borderline character disorders (Kaplan, 1985).

One important characteristic of ego strength is psychological "flexibility." The usual sequence is relative flexibility (health), some inflexibility (neurosis), rigidity (borderline character), and brittleness with fragmentation (psychosis) (Kaplan, 1985).

N. Parental and Familial Pattern

According to Mohr et al. (1964), a substantial number of pedophiles marry. They report that 65% of heterosexual and 47% of homosexual male pedophiles were married. The heterosexual marriages tended to last longer than the homosexuals' did. Both groups tended to marry late compared to the general population.

For the adolescent pedophile, the family environment most frequently shows that the father is absent. The pedophile's father may be dead, separated, or divorced from the mother. If, in fact, he does live in the home, he is likely to be emotionally aloof from the client. For the adolescent pedophile, the sense of self that could be derived from a close relationship with an adult male is missing (Sanford, 1980).

A high incidence of physical and sexual abuse was also prevalent in a large percentage of adolescent pedophiles in the Seattle study by Sanford (1980).

Finkelhor (1985) cites a study by Nicholas Groth that found that 51% of a sample of sex offenders had been victimized when they were young and of these 25% had been victimized by a female. Finkelhor (1985) concludes by speculating that sexual abuse by women does occur in some fraction of cases with a probability of 5% in the case of girls and 20% in the case of boys.

O. Adolescent Pedophile

He or she is a person in teen years who molests children. The adolescent molester has usually not had enough varied sexual experience to choose as the preferred sexual expression. Rather the sexual contacts are reflections of a disturbed state of life for the adolescent at that time (Sanford, 1980). The majority of adolescent pedophiles are boys. This level of pedophile is basically nonviolent in the commission of his crimes, and his victims are strangers in only 20% of the cases (Shoor, 1966). Very frequently the teenage pedophile has little or no association with his peers. For the adolescent offender two-thirds of his victims are girls and the sexual activity is basically nonorgasmic, including exhibition, mutual masturbation, and sometimes oral-genital contact. The adolescent pedophile has the same desires, needs, and/or fantasies as any other teenagers; however, they lack the social skills to fulfill their desires. The elements of ignorance and curiosity are significant variables contributing to the behavior of the adolescent pedophile. Any adolescent offender has the potential of becoming a "fixated" pedophile (Sanford, 1980).

P. Fixated Pedophile

The fixated pedophile has from adolescence, been sexually attracted primarily or exclusively to significantly younger individuals, and this attraction persisted throughout his life regardless of what other sexual experiences he has had. Essentially, the sexual molester has grown older, but the objects of his sexual arousal have not. In the fixated pedophile's mind, if the emotional involvement is there, then sex will follow naturally. Sex is his way of experiencing the child's love. Sex with the child is just one aspect of the emotional involvement the fixated offender wants with his victim. He wants the most warmth and comfort with the least demands upon himself; therefore, adult relationships are too threatening. With a child, the sexual involvement is the pedophile's testing ground for the depth of the child's commitment to him. The fantasy for the fixated pedophile is that not only does the child initiate the sexual relationship, but even encourages it to continue (Sanford, 1980).

Twelve percent of fixated offenders are married at the time of their offenses. The 88% of the fixated offenders who are not married at the time of their offenses will find someone to fill the role of caretaker. The fixated child molester's self-perceived helplessness has been with him throughout his life and perhaps started in his childhood. Almost half of fixated pedophiles were victims of child sexual abuse, usually victimized by a nonfamily member in a violent manner. For the fixated pedophile the message is: The world is a cruel and demanding place, void of love from adults (Sanford, 1980).

The fixated pedophile shows little remorse for his crimes. He may be genuinely sorry he was caught and has to stop his molesting behavior, but he thinks little of the potential harm he has done to the victim, and may not recognize the relationship as harmful. He may describe his need for sex with children as an addiction or a compulsion. Consequently, his recidivism rate is high; he will follow his drive again and again with little thought of the consequences to the victim (Groth, 1978).

The fixated offender takes on the values and interests of the victim child in order to be "one of the kids" (Sanford, 1980).

Q. Regressed Pedophile

In contrast to the "fixated pedophile," the regressed pedophile has not demonstrated much interest in children until the time of his sexual contact. Groth (1978) describes this individual as one who preferred peers or adults for sexual gratification. However, when these adult relationships became conflictual in some important aspect, the adult became replaced by the child as the focus of this person's sexual interest and desires. The regressed pedophile has a strong adult sexual preference and often initiates sexual activity with both children and adults (Sanford, 1980). In a study by Groth (1978) he reported that among a large group of regressed pedophiles, their adult preference was 83% exclusively heterosexual and 17% bisexual, with the bisexuals stating a preference for women. In this study 71% of the regressed pedophile's victims were girls, 16% chose male victims, and the remaining 13% victimized both boys and girls.

Throughout his life the regressed pedophile has been somewhat successful in his peer relationships. For him, life is going along as it should when a crisis, stress, or a major challenge is presented. Coping is beyond his capabilities, frustration and self-doubt result, and he becomes attached to children for safety and refuge. During this

difficult time in his life there is more psychological safety to be found in sexual relationships with children simply because they are less demanding than adults (Sanford, 1980).

For the regressed pedophile feelings of guilt and remorse do follow, but the subsequent further loss of self-esteem diminishes this individual's ability to cope. The original problems now seem more insurmountable, and once again the client seeks relief in safety of children. The regressed pedophile uses his life circumstances as an excuse or justification for his actions toward his victims. Often his justification is stated, "If it weren't for . . . I would never have molested that child." Still he is totally responsible for his behavior regardless of his life circumstances (Sanford, 1980).

Three-fourths of these pedophiles are married, and since they need an accessible child as an outlet for their chronic dissatisfaction and self-doubt, their own children are likely to become victims (Sanford, 1980). This individual is as likely to molest a familiar child as he is an unknown child. During the sexual contact he maintains his status of adult and elevates the child to a psychological age closer to his own to romanticize the relationship. The regressed pedophile attributes very adult characteristics to the child to gain equality. He convinces himself into thinking that the child is his "date," a girlfriend, or steady lover. With the child he will not become an authoritarian adult unless the victim child resists or wants to terminate the relationship. At this point the "courting" stops and the exploitation becomes blatant. For the most part, the adult offender and the child victim are counterparts in an old-fashioned, romantic fantasy where the adult remains basically an adult (Sanford, 1980).

R. Aggressive Pedophile

Less than 10% of all child sexual molesters exhibit overtly aggressive behavior. The pedophile in general is seeking affection and control by "persuading" the child to enter into a sexual relationship. He must believe the child is a willing, giving, enthusiastic participant. If the child resists or cries, most offenders will stop the sexual advance and move on to another potential victim (Sanford, 1980). Groth (1978) contrasts between the other pedophiles and the aggressive pedophile by stating that most of the molesters desire the child as a love object and typically describe the victim as innocent, loving, open, affectionate, clean, attractive, and undemanding. They feel safer and more comfortable with children. In contrast, the aggressive pedophiles describe their victims

as weak, defenseless, helpless, unable to resist, easily controlled, and manipulated. The aggressive molester feels stronger and more in charge with children.

Groth (1978) has further classified aggressive pedophiles into two categories.

1. First is the aggressive pedophile with a low tolerance for resistance. He has very little impulse control. If the child does not resist, then the molester will not utilize any type of violence for control over his victim.
2. Second is the aggressive pedophile who is a sadist. He intentionally uses violence in the commission of his offense. His sexual arousal is based on the suffering and humiliation of the child. Frequently he uses more force than necessary to overpower the child. Self-hatred is at the bottom of the sadistic offender's methodically-planned offense. Hurting the child is an almost ritualistic purging of his own inadequacies. The child symbolizes everything the offender hates about himself, thereby becoming an object of punishment. The victim's fear, torment, distress, and suffering are important and exciting to the sadistic pedophile, since only in this context is sexual gratification experienced. This aggressive pedophile has most likely fantasized and masturbated to this scene of violence prior to the actual crime. Aggressive acts of behavior are more often premeditated, and the individual may have a lost history of fantasizing about strength and power with sexual overtones, perhaps beginning with the torturing of animals.

The aggressive pedophile is most likely to choose a stranger as a victim. They perceive their victim as an expendable item that exists as a means to their emotional need. He delights in defying numerous taboos and thinks of himself as a "desperado." He gains his only sense of identity from acting in a way that alienates and repulses the larger part of society. Additionally, the aggressive offender is older than the average, and those who choose female victims over 12 years old have strong ideas about the "rightness" of what they are doing.

S. Extent of Sexual Involvement between the Pedophile and Victim

In terms of the nature of the sexual act, actual penile penetration of heterosexual pedophiles is rare--less than

20% of the cases of incarcerated pedophiles. Commonly, the act consists of fondling, exposing, and masturbation. Masturbation is also the most common act in homosexual pedophilia--approximately 45% of the cases, while fellatio occurs in 38% of the cases, and anal intercourse in only about 4% (Gebhard, et al., 1965). Exposing and voyeurism are also very common (Adams, 1984).

T. Victimology

Female children are the common victims with their age range being 8 and 12 years. Girls from households with incomes of less than \$10,000 are more susceptible to being molested. Lower-income girls are two-thirds more likely to be victimized than the average girl. Girls who grew up in rural areas or socially isolated are 44% more likely to be sexually victimized. A stepfather is five times more likely to sexually victimize a daughter than was a natural father. Girls with stepfathers are also five times more likely to be victimized by a "friend" of their parents. A father that has particularly conservative family values, believing strongly in children's obedience and in the subordination, place the daughters in a high risk category. Girls living without their natural mother are three times more vulnerable to sexual abuse than the average girl. A girl whose mother was sexually punitive is 75% more vulnerable to sexual abuse. Educational inferiority of a wife compared with her husband also relates to the daughter's victimization (Finkelhor, 1985).

Male children are most often sexually abused 32% of the time under the age of 6. Boys are victimized by nonfamily members 23% of the time compared to girls only 14%. The sexual abuse of boys most frequently occurs in lower socio-economic backgrounds than girls. Boys who are abused also more often come from single-parent households. Boys are less likely to be abused alone. If a girl is abused by a parent, in 65% of the reports she will be the only reported victim. If a boy is abused, 60% of the time there will be another victim. The second victim is usually a sister (Finkelhor, 1985).

II. PSYCHODIAGNOSTIC FEATURES

A. Intelligence Testing

No significant difference between pedophiles and the general population in terms of intelligence, occupation, and education was found by the research conducted by Mohr (1964). In a study by Gebhard (1965), he noted that heterosexual pedophiles range in intelligence over the

full spectrum, but with a higher percentage than normal control in the subaverage groups (11% feeble minded and 34% with an IQ between 70 and 90). A study by Swanson (1968) indicated that most pedophiles tested in his research were of average or above average intelligence, with 33% low average or subnormal.

B. MMPI Profiles

Personality evaluation by Toobert et al. (1959) using pedophiles whose sex object of choice was children 12 years of age or under were compared with prisoners in general. Both groups showed only clinically significant T scores over 70 on the psychopathic deviate scale which measures rebelliousness and nonconformity. The average scores of the pedophiles on femininity (Mf scale) and paranoia (Pa scale) were significantly higher than those of controls. However, all average scores were within normal limits.

A more recent study by Langevin et al. (1983) compared homosexual and heterosexual pedophiles with normal homosexuals and heterosexuals. Their results disclosed that heterosexual pedophiles were tense, reserved, and among the shyest of all the groups. They also tended to be shrewder, less emotionally stable, and less group dependent. The homosexual pedophiles measured much more emotionally disturbed with significant depression, schizophrenia, psychopathic deviate, paranoia, and social introversion scores on the MMPI. The measured pedophiles in these groups were mixed outpatients and incarcerated men awaiting trials.

MacCreary (1975) compared MMPI profiles of first offenders and recidivist pedophiles in prison. Repeated offenders scored higher on Psychopathic Deviate (Pd), Hypochondriasis, Hysteria and Schizophrenia (Sc) scales, thus indicating greater pathology. Only the Pd and Sc scales were in the range considered clinically significant (T score greater than 70).

Langevin (1983) states that it is important to note that pedophilia has been linked to homosexuality, femininity, and feminine gender identity. He cites that a comparison of heterosexual and homosexual pedophiles to corresponding control groups who preferred mature partners on the Feminine Gender Identity Scale. They found that both pedophilic groups did not score significantly different from heterosexual controls and that all groups scored lower in feminine gender identity than homosexual andophiles. MMPI results noted earlier also failed to support the femininity hypothesis, and even the homosexual

pedophilic group did now show the characteristic high femininity scores typical androphilic homosexuals. If anything, pedophiles are strongly masculine identified.

C. Pedophile Aggression Index (PAI)

This index measures the client's arousal to pedophilic aggressive acts divided by a pedophilic consenting cue. This is a measured erectile response to a 2-minute audio-taped stimulus cues. The mean PAI value for less dangerous clients was 0.67, and the mean PAI value for sadistic child molesters was 2.16 (Travin, et al., 1986). (Refer to Table 1.)

D. The Derogatis Sexual Functioning Inventory

This inventory provides information on a number of potentially relevant factors including sexual knowledge, attitudes toward sexuality, body image, sex drive, and fantasy (Travin, 1986).

E. The Sexual Orientation Method (SOM)

This inventory consists of several scales which measure sexual arousal. Developed by Feldman, MacCulloch, Mellor, and Pinschoff (1966), this series of scales are used to detect change in arousal patterns to homosexual and heterosexual stimuli during treatment.

F. Sexual Interaction Inventory

This instrument was designed to measure sexual functioning and levels of satisfaction. This inventory consists of 17 items ranging from the "male seeing the female when she is nude" to "the male and female having intercourse with both of them having orgasms." The patient is then instructed to rate each item on the frequency with which the activity usually occurs, the desired frequency, the degree to which the patient enjoys the activities, and an estimate of the degree to which his or her partner enjoys the activity. Although this scale was intended for individuals who have sexual dysfunctions, it can be adapted to sexual deviants (Adams, 1984).

G. 16PF

Responses on the 16PF reflect low scores on scales for the emotional disturbance, impulsivity, and deviant mores. These are C, G, and Q₃ respectively. Anxiety and insecurity possibly indicated by the potential of being apprehended, elevate scores on scales O and Q₄. The deviant fantasy and the isolation from society, because of the repulsiveness

TABLE 1

Common Features in Paraphilias

Essential Features	Associated Features	Other Features
The nuclear perversion grows out of a blurring of sexual and generational differences and a poor infant-mother demarcation, particularly in the realm of the genitalia.	**There are persistent, repetitive, or intrusive sexual fantasies of an unusual nature.	**There may be preferential use of nonhuman objects for sexual arousal.
There is impairment in gender and reality sense.	The fantasies are for the most part ego-syntonic, although they are recognized as unusual.	**There may be repetitive sexual activity involving real or simulated suffering or humiliation.
The paraphilia serves to cover over flaws in the sense of bodily integrity and in the sense of reality.	**Sexual arousal and orgasm are dependent in an obligate way on the fantasies.	**There may be repetitive sexual activity with nonconsenting partners.
The paraphilia protects against both castration anxiety and separation anxiety.	The perverse fantasy is a powerful organizing motif in the patient's life.	**The sexual interest is focused on substitutive acts or degraded and distanced objects.
The paraphilia provides an outlet for aggressive drives, as well as sexual drives.	There is general psychopathology characteristic of the spectrum of borderline disorders.	
The perverse fantasy and behavior are symptomatic compromise formations growing out of developmental conflict and distress.		

Common Features of Pedophilia

Identification with and narcissistic investment in immature sexual objects serve to compensate for separation or deprivation.	**The central and preemptive fantasy focuses on children as sexual objects.	**Sexual activity with children is preferential and may occur repeatedly.
Control, domination, and seduction of the child compensate for a sense of powerlessness.		The object choice may be homosexual or heterosexual, but usually it will be exclusively one or the other.

****Features considered essential in DSM-III.**

Source: Kaplan, H. I., & Sadock, B. J. (1985). Comprehensive Textbook of Psychiatry. Baltimore: Williams and Wilkins.

of the acts, will result in high scores on scales L and M. Homosexual pedophiles are moderately high on scales E and H and moderately low I. The reverse is true for heterosexual pedophiles. Scores on the B scale vary considerably, although on the average they are moderately low (Meyer, 1983).

- U. Linda Sanford (1980) has identified four essential elements which have to exist in order that the pedophile is capable to achieve sexual arousal and also be able to maintain a repetitive behavioral pattern. These include:

1. Fantasy: Since the victim child is a substitute sex object for the pedophile, fantasy is extremely significant. According to Sanford (1980), masturbatory conditioning is a key factor in the motivation of the child molester. The process of masturbatory conditioning begins as the offender fantasizes about sexual activity with a child. He does this repeatedly, achieving orgasm many times through the fantasy. The orgasm is a powerful reinforcer and he is inclined to use the fantasy again. As time goes on, the fantasy becomes unsatisfying. The novelty of the fantasy wears off, and the offender needs actual sexual contact with the child. (Refer to Table 2.)
2. Power over the victim child: Power by the pedophile is exhibited in two distinct forms:
 - a. Exploitation and/or manipulation: The aggressor does not want to be detected, so his actions are covertly disguised as being a "game," or other inticements and rewards are subtly provided the child. The withdrawal of these rewards and the use of intimidation manifest when the child is uncooperative or wants to discontinue the sexual encounters or advancements (Sanford, 1980).
 - b. Aggressive behavior: For the pedophile, children serve as an alternative to frightening adult partners, and they present the opportunity to terrify, rather than be terrified. Dominance over children by the pedophiles provides the opportunity for them to experience the erotically tinged aggression that is so important in arousal. The aggression may be under control or may be out of awareness, but it is never far away. In a situation in which the sexual partner is a child and comparatively helpless, injury may be inflicted in cold blood, in passion, or in panic. Although it is commonly stated that only a small percentage of pedophilic encounters result in injury or

TABLE 2

Common Sexual Fantasies

Men	Women
<u>Heterosexual</u>	
A. Replacement of established partner	A. Replacement of established partner
B. Forced sexual encounters with a woman	B. Forced sexual encounters with a woman
C. Observing sexual activities	C. Observing sexual activities
D. Sexual encounters with men	D. Idyllic encounters with an unknown man
E. Group sex	E. Sexual encounters with a woman
<u>Homosexual</u>	
A. Images of male anatomy	A. Forced sexual encounters with a woman
B. Forced sexual encounters with men	B. Idyllic encounters with established partner
C. Sexual encounters with women	C. Sexual encounters with a man
D. Idyllic encounters with unknown men	D. Memories of past sexual experiences
E. Group sex	E. Sadistic imagery

Most frequent listed in order of occurrence.
 Adapted from W. Masters and M. Schwartz, The Masters and Johnson treatment program for dissatisfied homosexual men. American Journal for Psychiatry, 4, 173, 1984.

death, nonetheless, it is necessary to say that aggression and sadism are inherent components of the paraphilia. Pedophilia does involve narcissistically restitutive identifications with the children, but the perversion also involves dominance and power over the children. (Kaplin, 1985).

3. Resources enabling or facilitating the behavior:
The pedophile seeks out and places himself in an environment and situations where there exists a child to fulfill his fantasy. This manipulation and control over the environmental milieu may take considerable time. However, the desired consequences of the offender's fantasies are repeatious (Sanford, 1980).
4. Knowledge of the consequences of his actions:
For the most part, the pedophile knows that the actions he is performing with the child are wrong. He is aware of to what extent and to what degree he can sexually manipulate and exploit the victim child to minimize the detection of his behavior (Sanford, 1980).

I. THEORETICAL EXPLANATION OF ETIOLOGY

A. Psychoanalytic: Heterosexual

Since the pedophile prefers to engage in sex with children, it has been postulated that he is fixated at an infantile stage of development. This fixation results from castration anxiety. Every normal boy wishes to possess mother and replace father, but is afraid to do so because of the fear that he will be castrated. He therefore develops an aversion to mother as the incest taboo. The pedophile's anxiety, however, is so general that he fears to possess any mature female since they all symbolize mother. Therefore, the heterosexual pedophile settles for an immature female who is prepubescent in development (Langevin, 1983).

Nicholas Groth (1982) has defined this individual as a person who has, from adolescence, been sexually attracted primarily or exclusively to significantly younger people, and this attraction persisted throughout his life, regardless of what other sexual experiences he has had. Groth (1982) has termed this individual as being a "fixated" pedophile. Groth (1982) further defines a "regressed pedophile" as being a person who preferred peers or adults for sexual gratification; however, when these adult relationships became conflictual in some important aspect, the adult became replaced by the child as the focus of this person's sexual interest and desires. For the pedophile, when conflictual issues manifest in the adult stage of

life, there is psychological safety to be found in sexual relationships with a child.

Psychoanalytic: Homosexual

Pedophilia as homosexuality is described by Noyes and Kolb (1958) as both anomalies developing from a disturbed mother relationship which results in a substitute sex object choice, either in the child or in the adult male. Both the homosexual pedophile and androphile who prefers mature men can be described as narcissistic because they identify more with mother than father. Thus homosexual pedophiles should show greater femininity and feminine gender identity like their androphilic counterparts. The homosexual pedophile wants to act towards the male child in the way he desires his mother to act towards him.

Psychoanalytic Comparison between Heterosexual and Homosexual Pedophilia

Literature is scant on explaining the differences between homosexual and heterosexual pedophilia. The most frequent clinical cases are heterosexual pedophiles which outnumber homosexual cases with a ratio of about 2 to 1 (Cook, 1981, Langevin, 1983, Finkelhor, 1984). Psychoanalytic theory suggests homosexual cases are narcissistic whereas heterosexual pedophiles seek a mother surrogate in the female child. The ages of the victims appear to also differ in the groups with homosexual pedophiles engaging slightly older children and preferring inner crural (between the legs) or anal intercourse. Whereas the heterosexual pedophiles prefer to fondle and expose themselves to their younger victims (Mohr, 1964).

A further difference between the two types of pedophilic behavior may occur in the parent-child relations. According to Langevin (1983), heterosexual pedophiles do not identify with father and/or with mother who did not meet her son's immature dependency needs. The homosexual pedophile, on the other hand, was closer to mother and distant from his father, so that the son later assumes a pseudo-paternal role with his victims to compensate for the lack in his own father. In almost all cases of pedophilia, exclusively, the mother is stronger and more competent than the father. Hartman (1978) reports that all pedophilia is a sign of serious neurotic conflict in which the father is feared and identification with him is inadequate, so that the son is later unable to cope with the adult female. The pedophile also seeks out the child as revenge on his mother who rejected him.

B. Feminist Theory

Researchers Herman (1981) and Rush (1980) have postulated a feminist theory for sexual abuse of children. Even though their perspectives are sociological and environmental in nature, they are noteworthy in citing the causation of pedophilia. The theoretical approach by Herman (1981) and Rush (1980) essentially cite three contributors to sexual abuse of children. First, they suggest that the large disparities of power between men and women in American society contribute to the occurrence of sexual abuse. Secondly, they state that feminists have suggested the notion that the different ways in which men and women are socialized contribute to the problem. Finally, they state that feminists have recently turned a large amount of attention and concern to the effects of pornography and its role in the promotion of sexual exploitation and sexual abuse of children.

C. Family Systems Theory

Family systems theory concentrates on intrafamilial incest as one form of sexual abuse, because that is the form of sexual abuse that this theory best explains. In father-daughter incest, according to this theory, the marital relationship has broken down, the mother is alienated from the roles of wife and mother, and the father makes an alliance with the oldest daughter that substitutes for the marital relationship which becomes sexual (Finkelhor, 1984). Studies indicate that father-daughter incest is a common form of sexual abuse; however, it accounts for less than one-third of all child sexual abuse (Finkelhor, 1984, Langevin, 1983). The family systems theoretical approach makes an implicit distinction between family sexual abuse and nonfamily or extrafamilial sexual abuse. Finkelhor (1984) summarizes the family systems theory approach by stating that family abuse can utilize family dynamics and family systems theory to explain abuse, while extrafamilial abuse has to look elsewhere for an explanation.

IV. TREATMENT

- A. Techniques for the treatment of pedophiles can be divided into three general groups which include: (1) physiological techniques, (2) traditional psychotherapy, and (3) behavioral approaches (Tasto, cited in Curran, 1980). Both the expression of clinical features and the ultimate treatability of paraphilias are materially influenced by the individual's ego strengths and the extent of flexibility (Kaplin, 1985).

1. Psychoanalysis: This psychotherapy has received wide criticism. It has not reliably shown to be an effective therapy. Psychoanalysis is time-consuming and expensive and basically only provides insights into the behavior for the client (Cook, 1981). Curran (1980) expresses that psychoanalysis may simply give the pedophile different justifications for their behavior.
 2. Individual Psychotherapy: Sex offenders are generally regarded as a population unlikely to be responsive to psychotherapy for reasons such as their denial of guilt, lack of motivation to change, and failure to cooperate with voluntary treatment. Social, cultural, and educational differences between the therapist and the pedophile do not encourage rapport. Reports of psychotherapy being used with pedophiles are rare (Cook, 1981).
 3. Group Psychotherapy: Group psychotherapy is the widely used treatment for pedophiles. The group environment is seen as a bridge between the sociocultural gap between the client and the therapist and thus facilitating the discussion of problems by bringing together individuals who have experienced similar difficulties (Cook, 1981).
- B. Behavioral Treatment Techniques
1. Systematic Desensitization: Systematic desensitization is commonly used to reduce anxiety. An effort is made to reduce the anxiety arising in adult heterosexual behavior and thus is likely to result in social interaction and sexual dysfunctions (Cook, 1981 and Curran, 1980).
 2. Covert Sensitization: This is an imaginary aversive technique in which the unpleasant stimulus is a description of an extremely noxious and most often nauseous scene. The treatment pairs the unpleasant scenes with descriptions of the deviant behavior with the aim of rendering the deviant behavior aversive. Imagined retreat from the object is paired with relief from the unpleasant consequences (Cook, 1981 and Curran, 1980).
 3. Fantasy Modification: Shifting of fantasies involves the conditioning of masturbation fantasies. It is suggested that a pedophile's fantasies be shaped and that appropriate fantasies be reinforced by orgasms. In this technique the client may be instructed to switch to an appropriate fantasy immediately before

orgasm (Curran, 1980). Cook (1981) slightly modified the fantasy-switching technique. He states that pedophiles often report considerable difficulty switching from deviant to nondeviant fantasy material just prior to orgasm, and so a fantasy-shaping procedure has been adopted instead. The same fantasy is employed throughout masturbation, with no last-second switching, but over a period of months the age limit is gradually increased by sequentially eliminating the youngest fantasy currently used by the patient.

4. Social Skills and Assertiveness Training: Once the appropriate sexual arousal modifications are mastered, it is necessary to teach the patient sufficient social skills and the appropriate mannerisms to implement his new sexual orientation. Communication skills, assertive behavior management, family interaction skills, and coping with aggressive feelings should be taught. Gender role behavior and sex education should also be incorporated into the management and development of social skills (Cook, 1981 and Curran, 1980).

V. PSYCHOPHARMACOLOGY

The administration of hormones and antilibidinal drugs are not commonly practiced in the United States for pedophilic behavior. Such drugs as oestrogen, benperidol, and cyproterone acetate are antilibidinal. However, they are mainly utilized in European countries where the clients are incarcerated.

VI. PROGNOSIS

Tasto (1980) cites that the recidivism rate for homosexual pedophilia is twice that of heterosexual pedophilia. According to Mohr (1964), studies indicate that recidivism rates for heterosexual pedophiles as being 5% to 8% who are first-time offenders and 20% for those with previous offenses. He expresses the belief that only 3% of all child molesters are chronic offenders who will persist in the deviant behavior for a long time. Consequently, the fixated offender's recidivism rate is high; he will follow the drive again and again with little thought of the consequences to the victim (Groth, 1978).

VII. RESEARCH: PROBLEMATIC ISSUES

- A. Existing research is skewed statistically because cited examples are either incarcerated or a nonrepresentative sample has been identified by the criminal justice system.

- B. Most of the data collection has been in urban areas which obviously overlook the rural aspect of victimization.
- C. Utilization of college students in self-reporting is in and of itself, not representative of total populations.
- D. Segregation of theories explaining intrafamilial sexual abuse as compared with extrafamilial sexual abuse.

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CENTERS FOR DISEASE CONTROL

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MORBIDITY AND MORTALITY WEEKLY REPORT

Perspectives in Disease Prevention and Health Promotion

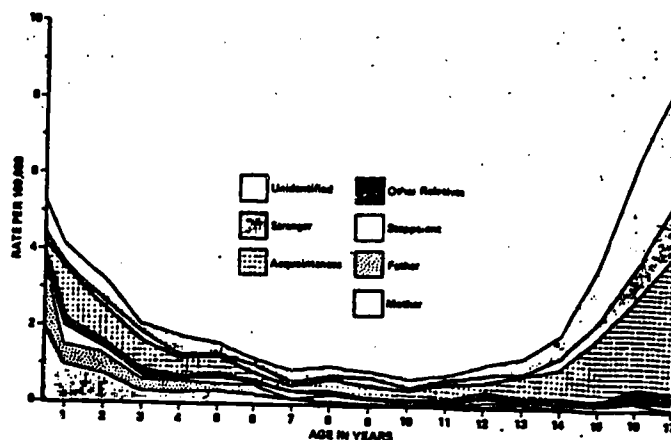
Child Homicide — United States

Homicide is one of the 5 leading causes of death in the United States for all persons 1-17 years of age (1). In 1978, 5.1% of all deaths nationally among persons 1-17 years of age were due to homicide, as compared with 1.0% of all deaths of persons ≥ 18 years of age. Since 1925, homicide rates have risen over 8-fold for persons 1-4 years old and over 2-fold for persons 5-14 years old (1). In 1979, homicides of children (persons < 18 years old) accounted for over 80,000 person years of potential life lost.

From 1978 through 1979, 8% of homicide victims reported to the Federal Bureau of Investigation-Uniform Crime Reporting System were < 18 years old (2). Three percent of these child homicide victims were ≤ 1 week old and 8% were > 1 week but < 1 year of age. In 1979, child-homicide rates for males were 3.3/100,000 males and for females, 2.0/100,000 females. For children ≤ 12 years of age, homicide rates for males and females were similar, but for children over 12 years of age, homicide was predominantly a male victim/male offender phenomenon. Age-specific incidence rates for child homicide in 1979 are shown in Figure 1. Rates peaked for infants and teenagers.

The relationships between victims and offenders varied with the victim's age, regardless of his/her sex or race (Figure 1). Nationally, 29% of child homicides were perpetrated by the victim's parent or stepparent, 35% were perpetrated by an acquaintance, and 10% were perpetrated by strangers. The offender could not be determined in 26% of child homicides. As the age of the victim increased, the relationships shifted from being intrafamilial to extrafamilial.

FIGURE 1. Child homicide, United States, 1979 victim-specific rates*, by age of victim and by relation of offender to victim†



*Total number of victims = 1,620.

†Based on the relationship between first-specified victim and first-specified offender for incidents in which the first-specified (listed) victim was a child.

Child Homicide -- Continued

lial in nature. The majority of homicides of 3-year-old children were not committed by relatives, and for victims over 12 years of age, homicides by acquaintances consistently predominated.

For most child homicides, the event precipitating the homicide was poorly described, and the description varied with the relationship between the victim and the offender. The majority (78%) of intrafamilial homicides had undefined precipitating circumstances; 18% involved an argument; and the remaining were due to miscellaneous causes. Forty-four percent of homicides by an acquaintance involved an argument; 8% involved a gang fight; and 51% had undefined or miscellaneous precipitating circumstances. Twenty-two percent of homicides by a stranger involved arguments; 37% occurred during the offender's perpetration of another crime; and 41% had undefined or miscellaneous precipitating circumstances. Overall, 25% of all child homicide incidents occurred during arguments; 3% during gang fights; 4% during sexual assault by the offender; and 10% during the offender's perpetration of another crime. Fifty-eight percent had undefined or miscellaneous precipitating circumstances.

As with the relationship between victim and offender, the weapon used in homicide varied with the age of the victim. This variation was independent of the child's sex, race, or relationship to the offender. The use of bodily force or a blunt object predominated for victims ≤ 9 years of age. Guns or knives were used in over one-third of the homicides involving victims over 3 years of age and in over one-half of those involving victims more than 9 years of age. Overall, guns were used in 40% of child homicides; knives, in 15%; strangulation, in 6%; and other specified means, in 31%. The weapon was not specified in 7% of cases.

Reported by the Office of the Center Director, Center for Health Promotion and Education, CDC.

Editorial Note: Interest in the problem of violence toward children has grown in association with the public's increasing awareness of the issue of child abuse. Data on child abuse are limited by variations in definition and in surveillance methods; however, a recent national study estimated the incidence of child abuse at 3.4/1,000 (3). Although child abuse is not specifically a parent/child phenomenon, authors frequently concentrate on this aspect of the problem. Similarly, studies of child homicide have concentrated upon cases of child homicide by parents (4-6). The information presented in these studies indicates that homicides committed by parents constitute a minority of all child homicides and represent only one end of the child homicide spectrum. In fact, there appear to be 2 patterns of child homicide. The first predominates when victims are less than 3 years of age. This type of child homicide is characterized by familial violence, ill-defined circumstances, and the use of bodily force rather than guns or knives. It could be defined as fatal child abuse. The second type of child homicide, predominantly involving victims over 12 years of age, is characterized by extrafamilial violence, association with arguments or the offender's criminal behavior, and the use of guns or knives. This pattern may represent a child thrust into an adult environment or life-style for which he/she is not developmentally prepared and in which he/she is not properly supervised. As a major and increasing cause of death, this type of child homicide and violence is now generally ignored, but merits public health attention and might be defined as fatal parental/societal neglect. Homicides involving victims 3-12 years of age appear to be a mixture of these 2 homicide patterns. Preventive measures based upon parent education, family planning, neighborhood networking, and stress reduction may have an impact on fatal child abuse. Research is needed to determine whether such measures will also have an impact upon fatal parental/societal neglect and whether this second pattern of child homicide represents extrafamilial duplication of intrafamilial violence.

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N.C.I.C. Entries for 1985 - National

All ages.....386,143
 Juveniles.....329,508 (85.3%)
 Endangered.....13,398
 Disability.....28,209
 Involuntary.....14,816
 Catastrophic.....213

N.C.I.C. Entries for 1985 - New Jersey

All ages.....12,972
 Juveniles.....11,591 (82.95%)
 Endangered.....473
 Disability.....1,484
 Involuntary.....416
 Catastrophic.....8

Potential N.C.I.C. Entries for 1985 - National - with NJ as "model" for usage of system

All ages.....440,118
 Juveniles.....365,117
 Endangered.....14,900
 Disability.....46,746
 Involuntary.....13,104
 Catastrophic.....252

Search Reports, Inc.
 560 Sylvan Avenue
 Englewood Cliffs NJ 07632

Comparison of NCIC entries for 1985, Nationwide, State of New Jersey and the national projection of potential entries based upon NJ's utilization of the system and its percentage of U. S. population.

Pedophilia



RON OLENDER
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X - 400

CHILD MOLESTATION

Definition:

The child molester is a significantly older individual whose conscious sexual desires and responses are directed, either partially or exclusively, toward prepubertal children (pedophilia) and/or pubescent children (hebephilia) to whom he or she may be related (incest) or not.

General Nature:

- Less than 10% of cases involve violence.
- Most cases (70%) victim and offender know each other at least casually.
- Victim and offender are often related (25%).
- Molestation often occurs in victim's home (33 1/3%).
- Female is twice as likely to be victimized.
- Most cases involve fondling and exposure only.
- From offender's viewpoint, children are ideal victims.
- Psychological trauma to victim more likely if:
 - a) Close relationship between offender and victim.
 - b) Prolonged contact.
 - c) Violence used.
- Psychological trauma to victim often occurs after the offense.
- Typical molester is a relatively young heterosexual male.
- Child molester is generally an inadequate personality with low self esteem who acts alone.
- Child molester's behavior is highly repetitive.
- Child molesters have age preference for victims.
- Motivational intent:
 - a) Identification with children (inhibited aggression).
 - b) Power and control (channelized aggression).
 - c) Sadism (eroticized aggression)
- Investigation of child molester is often resisted by segments of community.

Fixated

- Primarily attracted to children since adolescence.
- As a teenager he avoids most socialization.
- Usually does not marry but may date and marry for appearances.
- Will molest own children as few of many victims.
- Behavior characterizes entire life style.
- Sexually addicted to children.
- Sees nothing wrong with what he does.
- Knows and understands children.
- Occupation or vocation with access to children.
- Premeditated offense.
- More likely to select a male victim but not interested in adult males.
- Often seduces victim by recognizing need in victim and fulfilling it.
- Difficult to cure.
- Usually non-violent but can and does kill.
- Often organized to exchange material and change laws.
- Prior arrests for child molestation or indecent exposure.

Regressed

- "Normal" development.
- Usually married with children (heterosexual)
- Socially regresses due to some stress in life.
- Sees children as opportunity to reestablish power and control.
- Adult sexual encounters continue.
- May ask adult sex partner to appear childlike.
- Temporarily suspends moral, social beliefs.
- Suffers much remorse and guilt after act.
- Impulsive and opportunist offense.
- More likely to know victim.
- Risk of inadvertent injury to victim.
- Better chance of rehabilitation.



.375

**Sexual Abuse of Children
A Guide for Parents
Queen's Beach Foundation
San Francisco—1977**

Sexual abuse affects hundreds of children in the Bay Area every year. Sex acts children suffer range from fondling to intercourse and sodomy. While some children are grabbed by strangers in dark alleys; many, many more are abused by people they know and trust. Both boys and girls may be victims of sexual abuse, and children as young as 6 months old have been attacked. The problem is not limited to economically disadvantaged families or to certain ethnic groups.

Abusers, too, come from all ethnic groups and all social classes. They are employed in every sort of occupation or profession and are often widely respected in their communities. The overwhelming majority of them are male. They range from adolescents to older men, but most are under 50 years old.

A survey of sexually abused children conducted by the American Humane Association (1969) reported these findings:

• 15% of the offenders were known to the child or the child's family before the abuse. In fact 27% of them were members of the child's household.

• In 77% of the cases, parents contributed to the abuse by acts of coercion or commission.

• In 60% of the cases, the child didn't tell anyone about the incident until more than a week later. Often, children were afraid to tell their parents they would be angry and punish them for what happened.

No one likes to think about sexual attacks on children; but if parents face the reality of the problem, they may be able to help their children escape the guilt, anxiety, and fear experienced by many boys and girls who are sexually abused.

HOW CAN I PROTECT MY CHILDREN FROM SEXUAL ABUSE?

It is difficult to protect your children from abuse by family members and close friends, but you can be alert to many other potentially dangerous situations.

• **Be aware of where your children are and what they are doing.** Your watchful supervision is their best protection against sexual abuse. Of course, you won't be with them all the time. Ask another responsible adult to watch them when you aren't there to care for them yourself. If you can't find adult supervision, arrange for them to walk or play in a group.

• **Know who is with your children.** If you are hiring a babysitter for the first time, ask for references and be sure to check them. Inquire about people who offer your son or daughter a job, particularly if it involves working in their home. Get to know your children's friends, especially those who are a few years older than your son or daughter.

• **Teach your children to watch out for their own safety.** Remind them not to accept money or favors from strangers. Warn them never to accept a ride or go anywhere with someone they don't know. Talk about what your children can do if someone approaches them.

WHAT CAN CHILDREN DO IF SOMEONE APPROACHES THEM?

• **Tell your children to seek help immediately if an adult makes them feel uneasy or afraid.** Tell them to run away and scream for help. Explain that it's alright to attract attention and create a scene in these situations.

• **Remember that many children are abused by adults they know.** Tell your children that they don't have to agree to demands for physical closeness. Assure them that it's alright to say no—even to close friends and relatives.

• **Encourage your children to tell you or another adult immediately if anyone touches or talks to them in a way that seems strange or makes them uncomfortable.**

HOW CAN I TALK TO MY CHILDREN ABOUT SEXUAL ABUSE WITHOUT SCARING THEM?

You have already taught your children many safety rules—how to cross busy streets, what to do when they get hurt, and so on. Precautions relating to sexual abuse can be a natural part of your discussion of safety in general. Set rules that are appropriate to each child's age and development, and change them as the child grows up.

You don't have to tell very young children about sex when you discuss these roles if you don't want to. Simply explain that some adults may try to take off children's clothes or touch them in a way that makes them feel uncomfortable.

Be sure to use words your children understand. Answer questions fully, and let your children know that they can come to you at any time to talk about anything that is puzzling or upsetting. Your calm, matter-of-fact manner will reassure your children that they can share their concerns with you in the future.

WON'T MY CHILDREN BECOME SUSPICIOUS AND MISTRUSTING OF ALL ADULTS?

Children know that some adults cannot control themselves—they may drink too much or lose their temper, for example—and they know that some adults make mistakes. Your children can understand the sex offender in this context. You can help them remember that molesters are the exception rather than the rule by providing opportunities to be with adults who are warm and understanding. Show your children safe ways to relate to strangers while you are there to protect them.

HOW DO CHILDREN REACT TO SEXUAL ABUSE?

Children's reactions to sexual abuse differ with their age and personality and with the nature of the offense. Sometimes children are not upset even by crimes which seem very serious to their parents. Often, children are frightened or confused by sexual abuse.

Many children are afraid to tell anyone about the incident for fear of being blamed or punished. In other cases, children remain silent because they don't want to "make trouble" for the offender. Older children may be too embarrassed to describe the incident. These problems are especially common when the offender is someone close to the family.

Even if your child doesn't tell you about the abuse, you may be aware that something is wrong. Changes in appetite or sleep patterns may be a clue, or your child may act unusually withdrawn. S/he may be very upset whenever you leave or when the offender is nearby. Be sensitive to changes in your child's behavior and try to find out what's behind them.

HOW SHOULD I RESPOND IF MY CHILD TELLS ME S/HE'S BEEN ABUSED?

Be aware of your feelings about the incident.

You may be upset yourself by what happened to your child. You may feel guilty, angry, or shocked. If you feel angry, make sure your son or daughter understand that you are angry with the offender, not the child.

Your first reaction may be disbelief. Children do tell tales, but they rarely report imaginary sexual relations with adults. Take your child's story seriously even if the offender is someone you thought you could trust.

Many parents feel completely helpless when their child is abused, but you really can do a lot to help. In fact, your reaction will be the most important factor in how your child readjusts.

No matter how you are feeling, now is the time that your child's welfare is your first concern.

If you are very upset, you should pause for a moment to collect your thoughts before talking to your child about the incident. Explain to your son or daughter that you are upset by what happened and that you understand that s/he may be upset, too.

Reassure the child of your concern and ask him/her to tell you about the incident. Don't pressure your son or daughter to talk, but do make yourself available and listen carefully if s/he wants to tell you about the experience. Answer any questions and clarify misunderstandings. Emphasize that the offender, not the child, is to blame. Tell the child that you will protect him/her from having a similar experience in the future.

Other children in your family may also be upset by the incident. Be aware of their needs for attention and understanding.

Children are rarely seriously injured by sex offenders, but you may want to seek medical care. Internal injuries may be difficult to recognize. Your child can be examined without charge at Central Emergency Hospital (see P. 8), or you may consult your family doctor.

WHAT IF THE OFFENDER IS IN MY IMMEDIATE FAMILY?

This situation would be extremely difficult for your child and for other family members. You may have strong, conflicting feelings about the offender, but protection of the child must remain your first priority. Agencies listed on page 8 can offer assistance, and the Child Sexual Abuse Treatment Program is particularly concerned with helping families with this problem. (Santa Clara County Juvenile Probation Department, 840 Outdale Parkway, San Jose, California 95110. Telephone: (408) 299-2475).

WILL MY CHILD EX ALL FIGHT?

Permanent physical damage as a result of sexual assault is very rare. Your physician can discuss any injuries with you. Your child's emotional recovery will depend, in large part, on your response to the incident.



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August 9, 1986

The Honorable Dale E. Kildee
Chairman
House Education and Labor
Subcommittee on Human Resources
402 Cannon HOB
Washington, D.C. 20515-6106

Dear Congressman Kildee:

The American Camping Association is an organization of 2,200 organized children's summer camps located in all 50 states. Our camps are both non-profit and for-profit, and our membership serves million of children throughout the United States annually. As a National organization, we have occasion to work in Washington with other many organizations with whom we share similar objectives. I am writing to inform you of our Association's experience with the National Center for Missing and Exploited Children.

In late 1985 we contacted the Center to ascertain if they would be willing to assist us in implementing a child abuse prevention program for use by children's camps in the United States. Our inquiries were met with sincere interest, as the concept was deemed an innovative approach to prevention. With the help of the Center, special "Just in case ..." brochures, targeted at summer camp counselors, were prepared for distribution. Over the last six week period, requests from camps, both within and without our membership, have resulted in distribution of 35,000 brochures. The Center, in conjunction with the ACA, is now working on a more comprehensive guide book for use by camp owners and directors. We will also be working with the Center in seeking private fund donations for publication and distribution of the guidebook.

We are extremely pleased with the assistance we have received from the Center. There is no doubt in our minds that the above project would have been impossible without their assistance. We are extremely grateful to all the people who have made the Center a reality, as we are convinced it is an invaluable National asset.



Bradford Woods, 3000 State Road 67 North, Martinsville, IN 46151-7902 (317) 342-8456

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The Honorable Dale E. Kildee
Page 2

Knowing of your interest in the Center, I wanted to let you know of this just one small effort which has made a significant positive impact on millions of our children.

With warm regards,


Armand B. Ball
Executive Vice-President

1966 Inlay City Road
Lapeer, MI 48446-3210
(313) 667-9766
July 17, 1986

The Hon. John D. Dingell
House of Representatives
Washington, D.C.

Congressman Dingell:

I am writing this letter to your attention since I have followed your career for many years. Although I am not in the 16th Congressional District, I grew up in Dearborn and have known you to be a very well-respected and influential member of Congress.

I am urging you to take action on the atrocity of the publicity campaigns concerning the missing and exploited children. The enclosure reaches an all-time low in my opinion. If you cut the coupon for the chicken pieces, you have the smiling face of an innocent child on the back side. I do not feel that this in any way will help to locate the poor child. Instead, millions of other children are forced to ask difficult questions at an early age. Happy children are looking face-to-face with these victims every morning at the breakfast table on their milk carton. I have even heard of some neighbor children collecting missing kid cards, much like we collected baseball cards (throwing away all duplicates).

It seems obvious that reform needs to take place in the courts. Since most of the abductions are custodial cases, mass advertising is not the solution to the problem. It is a way for society to wash its hands of it.

Congressman Dingell, as a mother of two young children and a public school teacher, I am urging you to help remove the sad faces from the grocery bags, milk cartons and mass advertising campaigns. Support legislation that calls for custody reform and strengthening the rights of individuals involved in divorce-related incidents.


Very sincerely yours,

Barbara Durfee

Barbara Durfee
President-Elect
Lapeer Business & Professional Women's Club

Encl.

JUL 29 1986



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**National Center for Missing and Endangered Children.
NANCY DANNY JAMES "DANNY"
DOB: 03/24/66 AGE: 5 YRS. 24" EYES: Brown
SEX: M HAIR: Brown WT: 40 LBS.
DATE MISSING: 10/08/81 FROM: Chicago, Illinois**

Kentucky Nuggets®
Meal

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with
choice
of
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- 8 Kentucky Nuggets®
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America's Favorites.



- 10 Pieces of Chicken
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• Mashed Potatoes/Gravy
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Nikolette Thoman
Executive Director

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FOLLOW UP
TO THE
OVERSIGHT HEARING
OF THE
SUBCOMMITTEE ON
HUMAN RESOURCES

IN RE:
THE IMPLEMENTATION OF
THE
MISSING CHILDREN'S ASSISTANCE ACT OF 1984

SUBMITTED : AUGUST 18, 1986

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Nikoloz Thoman
Executive Director

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Dear Chairman Kildee and Members of the Committee:

This brief follow up addresses points which were not significantly covered during the Hearing on August 4, 1986. We hope that you will allow inclusion of this additional information into the Hearing Record.

During the Hearing Mr. Jay Howell of the National Center stated for the record that the National Center cannot handle the intakes they do as a "caseload." It is important to note that the National Center's Policies and Procedures do not allow "case referrals" to private agencies, only to law enforcement and existing state clearinghouses. The private organizations were once the only "investigative agencies" in existence; we worked often and well with law enforcement in the "investigation" of cases. Given the Center's non-referral policy, already overburdened law enforcement agencies are further burdened and the well developed expertise of the private agencies again goes untapped. This non-referral policy has stymied the searches of many parents of missing children and is a policy in desperate need of change.

We would also like to reiterate that the National Center's labeling of their closed cases as "of assistance in recovery" runs a very wide gamut by way of definition. Typically, this means that the case is marked closed when the Center receives information that the child has returned home. This does not in any way mean that the Center has successfully recovered or located these children. We have asked various Center personnel how many of these children (the significant majority of whom were "voluntarily missing") were located as a direct result of their own activity; photograph projects or fingerprints; to date we have not received an answer.

In reference to the Center's actual case activity, I have attached a letter written to the Committee which is submitted by a client of our

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Nikolette Thoman
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agency. Renee Berger is the mother of two missing children who are believed to be in Israel. At no time has Renee been assigned a "Technical Advisor" by the Center; she was given absolutely no guidance by the Center at any time. Renee has not been advised or provided with any information other than the Parental Kidnapping Handbook, which we provide information about in our written testimony. Renee Berger's case typifies the action of the Center in the vast majority of cases we have handled at Services for the Missing. She is an example of the "real people" that the representatives of the Center do not talk about.

The "Endowment Fund" was not addressed at the Hearing but deserves attention by the Committee. The actual amount in the Fund has not been disclosed; when the Fund was created, the press was given the impression that the monies were being collected to aid in the issue. We now find that the Endowment is housed in the National Center's offices; the literature from the Fund states plainly that the monies are to perpetuate the Center. The collection of these funds was supported by Missing Children's Assistance Act appropriations; companies were given to understand that the funds would assist the issue. This Endowment Fund must be opened for competitive bid; all 501 (c)(3) agencies, including the National Center, should compete for these dollars. Under no circumstances should the National Center control funds which were collected using federal dollars.

There was a great deal of discussion at the Hearing regarding "education" programs and the Center's "Campaign to Protect Children". We briefly addressed the various psychologists and pediatricians who have spoken out against such programs. A statement was made that requires correction: Dr. Benjamin Spock is indeed a psychologist as well as a renowned pediatrician. Dr. Salk was at first a proponent of the "stranger danger" program, but after research and thought, changed his

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stand on the issue. On August 5, 1986 the American Academy of Pediatrics released a statement (attached) which strongly states "Fingerprinting and photography won't help a missing child -- education is needed instead." It is widely agreed among professionals that fingerprinting and photograph projects are unnecessarily frightening for safe children, when weighed with the likelihood that either will help to locate a missing child, or protect a safe child. The reality of the numbers of children actually criminally kidnapped by an "unknown" proves dramatically that we are already providing adequate information in the home. The "Campaign to Protect Our Children", photograph projects and related programs serve as wonderful vehicles for advertisement for the Center and the other agencies who use them; their lack of validity should serve to remove them from the general public.

Much was said at the Hearing regarding the National Center's Hotline. One point that was not made was that of the 181,201 calls taken on the Hotline between October 19, 1984 and June 30, 1986 78.23 % of the calls were requests for information, in spite of the mandate of the NCAA. (Although the National Center's written testimony states that the "information" calls were for "assistance and information" their Quarterly Report summaries have historically stated "information" as the primary category of Hotline calls) Of the remainder, about 14 % were "Citizen's Leads" or "Sightings". Less than 8 % of the total calls related specifically to a "possibly missing" child. Obviously, there has been a great deal of waste in the usage of the Hotline. Given the statistics reflected in the Center's Quarterly Report, which states that almost 60 % of the "actual cases" are "voluntarily missing", it seems safe to assume that a large number of the "reports on actual cases" are children over the age of 13. As you know, the Missing Children's Assistance Act specifically states that the Hotline is to be used for reports of children 13 years of age and younger.

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Of the Center's "actual" caseload, the numbers bear scrutiny. As previously mentioned, about 57 % of the total are considered to be "voluntary missings". The number of children considered to be "parentally kidnapped " was approximately 34 % of the total. Of the remainder, about 3 % were considered "abducted by unknown individuals" and a little less than 6 % were considered "other missings." The Center was created on the basis of the overstated "stranger abduction" statistic of 50,000 per year. Since it's inception it has provided the bulk of it's services, including technical assistance and education, to the cases considered to be "stranger abductions."

Given these numbers it is safe to assume that the National Center's budget is in serious need of evaluation and de-escalation. If only 8% of the calls on the Hotline related to "possible missing children" then the "information regarding procedures for search and location" as mandated by the Act should have been provided to this 8%. The "sightings" calls amounted to 14% of the total; these are also valid under the Act. Almost 79% of the Hotline calls, under the mandate of the Act, should be handled by a regular business phone. Of the actual "caseload", the fact that 57% of these are "voluntarily missings" leads to the probability that these minors are over the age of 13; again, involvement with this age group, under the HCAA, is prohibited. If the 3% who are considered criminally kidnapped were handled by the FBI, this leaves 40%, of the "actual cases", less than 4,000 children, that are allowable and reasonable. For 22% of the Hotline calls and 4,000 "actually missing" children, the Center's \$400,000 monthly budget, with more than \$20,000 being paid to caseworkers and Hotline operators and salaries much higher than \$50,000 being paid to upper management, is certainly a gross waste of increasingly scarce federal resources.

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The National Center states that it is a "nonprofit corporation chartered for the purpose of operating a national resource and technical assistance center to deal with issues of missing or exploited children." In truth, the National Center for Missing and Exploited Children is a very expensive re-invention of the wheel. Private agencies have been here for many years, almost all of us supported the creation of the Center and the Missing Children's Assistance Act; we are worse off in terms of funds and public support than ever before. We are confident that the Committee will see quite clearly the need to re-evaluate the services of the National Center and to mandate the proper changes in these services. Until this is done, we who are serving families in need will not have the Clearinghouse that is vital to our ability to aid the missing. As we are all aware, the federal resources available for children and youth are quite scarce. The waste and inefficiency that has been a by product of the National Center's growth is a travesty in the face of our country's deficit budget. We are sure that this Committee will move to check the growth of this bureaucracy.

If we can continue to help the Committee in any way, please do not hesitate to contact us. Thank you again for your attention and action in this vitally important issue.

Sincerely yours,

Nikollette Thoman
for
Services for the Missing, Inc.

27 Conant Apts.
Haddon, N. J. 08053
Aug. 6, 1986

House Subcommittee on Human Resources
Oversight Hearing

Dear Sirs,

My experience with the National Center for Missing and Exploited Children have not been encouraging or positive in any way. My first call to the NCEC was on Oct. 21, 1985, in regard to my two sexually abused children, then 10 and 12 years old, (when I now know to be in Israel).

A telephone volunteer named "Danna" instructed me to list my children with the N.C.I.C. in their home town (over 100 miles away), since an arrest warrant had been issued for their father. She didn't tell me about the problems I would encounter in getting that listing. Danna also said that I should have a lawyer contact the NCEC to get an associate assigned to my case. Having done my best work, I called the Center again on Nov. 14, to ask for that association. "Danna" told me the assigned party will call me back. The call I waited for came on June 3, 1986, from a volunteer named "Dimitri", who asked for an update and progress report on whatever work I had done.

I have been a client with Services for the Missing in New Jersey, under the guidance and support of Nikki Thomas. (It was she, who originally referred me to the NCEC.) A few months ago, Nikki called the NCEC on my behalf, and in my presence. We both spoke to a man named Reed (last name). Reed told us that in order to have avoided my problems, I should never have gotten divorced. He said that he had over 2,000 parental abduction cases in his office, and if he took time for them, he wouldn't have time for anything else. The way he said he handles these cases is, and I quote, "I don't". And when Nikki asked him what he would do if his wife took their children to Israel, his abstracted reply was, "Well, I wouldn't let her!"

For the record, the NCEC did not "assist in location" in any way, but I am hoping with all my prayers that you can assist in recovery. I am aware of a piece of legislation fast moving for the need that I can supply. It is titled "Department of State Draft Bill Concerning the International Child Abduction Act", and it calls for implementation of the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

In a trip I made to Wash. D.C. on Feb. 3, 1986, I appeared to several Senators and Congressmen, as well as to the Office of Juvenile Justice and the NCEC, to discuss Federal legislation in this intergovernmental matter. I also requested a "therapeutic and welfare" check, which I've been told is my guaranteed right by law, but was told that no one has the time.

Sir, it has been over a year since I've seen my children. At the risk of sounding a bit dramatic, I don't want to go through another birthday, Mother's Day, or first day of school with the same sense of loss and hopelessness I felt this past year. Please help me.

Respectfully,

Renee Berger

Renee Berger
609-983-3356

U.S. Dept.
of State



American Academy of Pediatrics

News Release

Contact: Michele Weber
Susan Hess
312/981-7872
312/981-7945
800/433-9016

FOR RELEASE: August 5, 1986

FINGERPRINTING AND PHOTOGRAPHY
WON'T HELP LOCATE A MISSING CHILD --
EDUCATION IS NEEDED INSTEAD, SAYS AAP

CHICAGO -- The perceived epidemic of missing children has become a focus of media attention and a source of parental anxiety. The American Academy of Pediatrics (AAP) believes that the problem may be much smaller than the public has been led to believe, and urges its member pediatricians to educate parents and children in preventive safety techniques, and not scare them with fingerprinting and other identification programs.

"Child identification programs are of limited value," the AAP's Committee on Early Childhood, Adoption and Dependent Care says in a policy statement published in the August issue of *Pediatrics*. "In some cases, these programs may unnecessarily raise parental anxiety." Fingerprinting, the Committee writes, "will rarely be of help in locating a missing child."

Identification programs may falsely reassure parents of a child's safety and such programs, the Committee continues, should not replace education of the child.

The Committee urges pediatricians to:

- + teach parents how to keep their children safe. Young children should not be left unattended, and sitters should be responsible and known by the parents. Children should learn the full name, address and phone number of the person taking care of them, and they should be taught they have the right to say "no" to adults who touch them or make them feel uncomfortable.



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-MORE-

141 Northwest Point Road
P.O. Box 627
Elk Grove Village, IL 60007

Missing Children
2-2-2

- + raise parents' awareness of their responsibility to protect children. Action should be taken to detect unsafe parenting procedures and children's behaviors that allow abduction.
- + learn to detect family situations that may predispose children to a higher risk of abduction. One example is a divorce with disagreement over child custody and visitation.

Abduction of a child is most often perpetrated by a parent or relative who does not have custody of the child, and is most likely an attack on the parent who does have custody.

Contrary to public opinion, abduction of a child by a stranger is the least frequent category of missing children. In 1984, the Federal Bureau of Investigation (FBI) had nearly 350,000 reported cases of missing children, but only 67 of them were kidnapped by strangers. The vast majority of reported missing children -- perhaps as high as 95 percent -- are runaways.

The American Academy of Pediatrics is an organization of 29,000 pediatricians dedicated to the health, safety and well-being of infants, children and adolescents in North, Central and South America.

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AMERICAN ACADEMY OF PEDIATRICS

Committee on Early Childhood, Adoption, and Dependent Care

Missing Children

The perceived epidemic of missing children has become a topic of much media attention and a serious source of parental anxiety. The true magnitude of the problem is uncertain, but it may be much less than the public has been led to believe. Local municipalities and state and federal agencies apply varying definitions and reporting criteria to cases of children reported to be missing from their home or family. As a consequence, accurate statistics are not available. Statistics cited to describe this problem are often inflated by conjecture or inappropriate extrapolation from limited data. The Missing Children's Act of 1982 provides access to the National Crime Information Center computer and enables local law enforcement agencies to track cases of missing children. The resultant data, although incomplete, offer the opportunity for partial quantitation of the problem.

CATEGORIES OF MISSING CHILDREN

There are three categories of missing children: (1) those who have run away, (2) those who have been abducted by noncustodial parents or relatives, and (3) those who have been abducted by a stranger. Children in each of these categories are at risk for physical and emotional abuse and exploitation.

Children Who Run Away

In the vast majority of cases, perhaps 95%, missing children have run away from home. Most of these children and adolescents are found or return home within several days. Runaway children, especially those for whom the behavior becomes recurrent or chronic, may be seeking to escape unhappy home situations, which often involve physical, emotional, or sexual abuse.

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Children Abducted by a Family Member

Abduction of children is most often perpetrated by noncustodial parents or relatives. The abduction usually occurs during the process of aftermath of a hostile separation and divorce. Such abductions are rare. Initiated with concern for the child's best interests but, rather, are subversive attacks on the custodial parent. Children thus used as pawns in the battle between their parents are potentially subject to abuse and neglect by their abductor. In cases in which divorce and child custody have not finalized in court, law enforcement agencies are not able to intervene when there is nonabusive parental abduction of children. Once custody has been assigned, that custody extends across state lines, and abduction may warrant involvement by federal officers.

Children Abducted by a Stranger

Abduction of a child by a stranger is the least frequent, although most odious, category of missing children. In 1984, the Federal Bureau of Investigation had nearly 350,000 reported cases of missing children, but only 67 of these missing children were kidnapped by strangers. Despite the relatively small number of children involved in such abductions, these cases have spawned increased public awareness and legislative response to the problem of missing children, perhaps due to the presumed relationship of these cases to black market adoption, child pornography, sexual abuse, and homicide.

ROLE OF THE PEDIATRICIAN

The pediatrician's role is twofold. Primarily, the pediatrician should stress prevention in counseling families perceived to be at high risk. The pediatrician should provide guidance regarding specific activities that might protect children. For those families whose children are missing, the pediatrician should provide support.

Teenagers, especially those who have emotional disorders, are delinquent, or are involved in substance abuse, are at risk of becoming "runaways." Observation of teenagers exhibiting such behaviors should alert the pediatrician to the possibility of family dysfunction. Conversely, the pediatrician should focus on signs of personal and social stress in children who have run away and come to medical attention. It is incumbent upon pediatricians caring for children who have run away to explore the possibility that the children have suffered from some form of abuse in their home and that such abuse precipitated their running away.

During the time that they are without parental supervision, these children (most of whom are adolescents) may become involved with prostitution, drugs, sexual abuse, and crime. Their health care should address the medical and emotional problems that may arise from such circumstances. Although few pediatricians are likely to see runaway children visiting their offices, professional support for health programs for street children can be a valuable community service.

Pediatricians may be in a position to detect family situations that predispose children to a high risk of abduction. One example is marital dissolution in which a prominent feature is disagreement about child custody and visitation. Recognition of this risk should lead the pediatrician to warn the custodial parent and to review in a positive fashion the steps that may be taken to enhance child supervision. Preventive education should be handled in a matter-of-fact manner so as to reduce the possibility of unduly restricting the life of the child.

Pediatricians should offer practical precautions as a part of their routine anticipatory guidance. Young children should not be left unattended, and substitute caretakers should be responsible and known by the parents. Children should learn the full name, address, and telephone number of the person taking care of them. The children should be taught that they have the right to say "No" to adults who touch them or make them feel uncomfortable. Parents should know the whereabouts of their children and should know their children's friends. Clothing that displays the child's name should be avoided. Such "child-proofing" education can be effective in reducing the risk of both abduction and abuse, and thus it can be appropriately reassuring. Because the process of making these recommendations will inherently place additional stress on a parent already attempting to cope with numerous life changes, a supportive posture is essential.

Pediatricians are most effective when they focus on the prevention of abductions by raising parents'

awareness of their responsibilities in protecting their children from this hazard. Just as efforts have been made to create accident-free environments for children, so must action be taken to detect (1) unsafe parenting practices and (2) end children's behaviors that allow abduction. Of great concern are the "latchkey" children who are left to fend for themselves in unsupervised settings such as school yards, shopping malls, and empty houses and those who receive undependable child care.

In their regular encounters with the parents, pediatricians should review day-to-day aspects of child supervision and should offer anticipatory guidance including specific safety methods and techniques.

In their communities, pediatricians should work with law enforcement officers, school personnel, and other concerned individuals to increase public awareness and attention to this problem. They should support resources such as after-school programs and day-care centers that recognize the needs of children and working parents.

Accurate medical records documenting physical findings may assist in the later identification of abducted children. Child identification programs are of limited value, and in some cases these programs may unnecessarily raise parental anxiety. For example, fingerprinting, though a "scientific" method of identification, will rarely be of help in locating a missing child. Such "after-the-fact" measures should be voluntary on the part of parents and children. If fingerprints are taken, to allay the possibility of misuse, parents should retain the only copy of the fingerprints produced. Identification programs such as fingerprinting and retaining sequential photographs of children may falsely reassure parents of their child's safety, and such programs should not in any way replace education of the child.

Pediatricians may play an important role in the recognition of children who have been abducted. For example, when seeing children who do not have medical and immunization records, who have not been brought for health care when obviously in need, who have been abused or neglected, or who are brought to the office by someone other than a knowledgeable parent, pediatricians should be sensitive to the possibility that they may be encountering an abducted child.

SUMMARY

Changes within our society are contributing to the apparent increase in the number of missing children. The risks associated with child care in single-parent households and the hurried, inappropriate expectations of children's social maturity are

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two areas in which pediatricians can legitimately become involved. Pediatricians must be sensitive to the family and social circumstances that place children at high risk. Pediatricians should address the issue of missing children by concentrating on (1) enhancing public awareness of the problem and (2) integrating specific preventive strategies such as screening and parental education into their practices.

COMMITTEE ON EARLY CHILDHOOD
ADOPTION, AND DEPENDENT CARE
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Jean Pakter, MD
Gerald E. Porter, MD

Edward L. Schor, MD
Virginia Wagner, MD
Liaison Representatives
Elaine Schwartz
Jeanne Hunzaker, DSW
Bernice Weissbourd
AAP Section Liaison
Kay R. Lewis, MD
Carol Roberts Gerson, MD

SUGGESTED READING

Bergman AB: The business of missing children. *Pediatrics* 1986;77:118-121
Missing children: Pediatricians can help prevent the problem.
AAP News, January 1985, p. 10
The Truth About Missing Children. *The Denver Post*, May 12, 1985, p. 1

September 5, 1986

Congressman Dale Kildee, Chairman,
Human Resources Subcommittee,
Room 402 Cannon House Office Building,
Washington, DC 20515

Dear Congressman Kildee,

While on a business trip to South Carolina earlier this week I, by chance, saw the last 20 minutes or so of your subcommittee hearing on MISSING CHILDREN on August 4 or 5. An invitation to respond by September 12 was made at the end of the program. That is why I am so late in responding (only learning of it a couple days ago).

I am the founder (in 1980) of a "PYO". I am also a Director in the National Center for Missing and Exploited Children. Therefore I should be qualified to make comments from both points of view. I do not know Mr. Treanor's background nor the real reason why he has taken the stand that he has. But it appeared that he has some kind of personal vendetta against the Justice Department and the National Center.

His advocating the taking of the appropriation to the National Center and basically giving it to the various PYO shows his apparant complete lack of knowledge of what is really going on. Whatever good that is being done by the various PYOs can in no way fulfill the need for a National organization. It would be similar to trying to irrigate a vast arid ranch with a series of garden hoses. As good as a garden hose is, it could in no way fill that need.

Would you be willing to switch the Federal Government's educational appropriations to a group of educational PYOs? You may say that there are no such PYOs - but there would be if the government was not fulfilling its obligation in the field of education. Missing children PYOs sprang up because the government (Federal, state, and local) was not fulfilling its obligation. (Missing children PYOs are in no way comparable to private schools and colleges)....Or would you be willing to switch the appropriations for the FBI and other similar law enforcement groups (Federal, state, and local) to law enforcement PYOs?.... when we had them we called them vigilante groups.

Whether or not PYOs are appropriated any operating funds from the Federal government is a different issue and should be considered on its own merits. The PYOs should never be considered anything but a supplement to a national center or to various law enforcement groups - and not ever, ever be considered as a replacement for either.

If there are any unwise spending of Federal funds ^{as he claimed} by the Justice Department or the National Center, it should be handled in an appropriate manner. One never kills the patient just because his arm is broken - rather the broken arm is treated.

I had the above views of the roles of PYOs vs a national center long before the National Center was set up and I became a Director.

Respectfully,

John Clinkscale
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LaGrange, GA 30241
404/884-7419

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